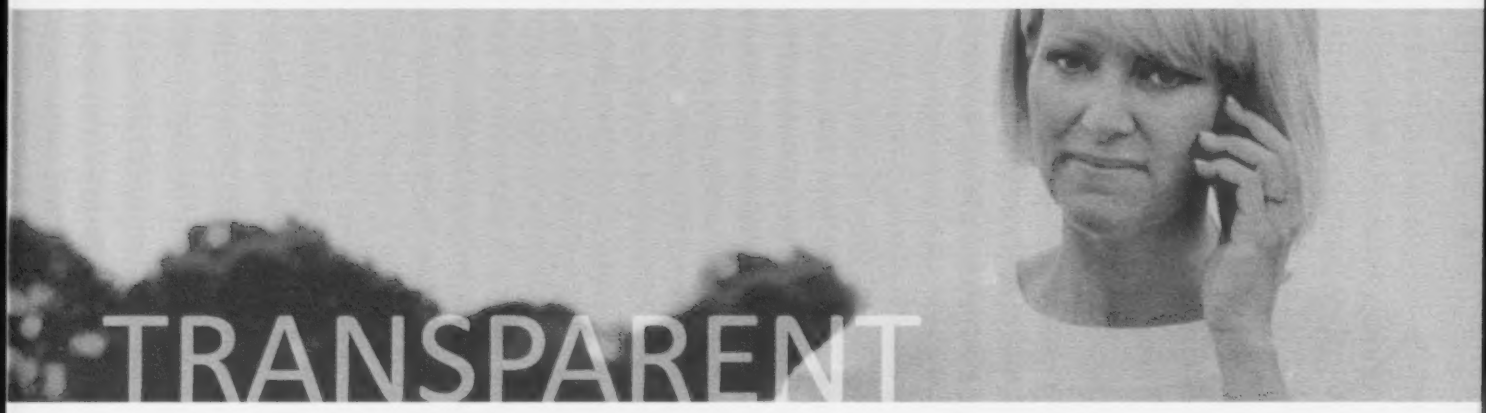
2012–2013 ANNUAL REPORT



TRANSPARENT

ACCOUNTABLE

PROFESSIONAL

OIPRD

OFFICE OF THE INDEPENDENT
POLICE REVIEW DIRECTOR

Our goal is to provide effective oversight of public complaints, promote accountability of police services across Ontario and increase public confidence in the complaints system.

The OIPRD is independent of the government, the police and the public.

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DIRECTOR'S NOTE

This year has been a memorable one for the OIPRD. The organization has gained considerable momentum and grown as an oversight agency. We have tested ourselves, questioned our processes, and with the benefit of almost four years of experience, we have begun to fill the gaps and make lasting improvements in our processes.

Civilian oversight is part of our justice system. It helps assure the public that investigations of misconduct are conducted thoroughly and fairly. It improves the public's understanding of police work, discourages misconduct among police officers and improves the policies and services provided by policing organizations. Oversight of police is a complex task. It requires not only an internal focus on the quality of the processes themselves, but also an external focus on the expectations, perceptions and priorities of its potential users and stakeholders. Throughout 2012–13, the OIPRD has continued to organize and refine its approach to incorporating the internal and the external focus in a way that ensures high-quality oversight of the public complaints system.

This annual report covers the period from April 1, 2012 to March 31, 2013. I am proud of the work my office has accomplished this year and the progress we have made toward our goals. In May 2012, I released the G20 systemic review report. The report examined the events of the G20 summit in Toronto in June 2010 and the issues surrounding public complaints against police that arose from that event.

One of the major achievements of 2012–13, and one close to my heart, was the establishment of the policies and procedures for our new resolution and mediation programs. While formal investigations are sometimes necessary, I believe that mediation and alternative dispute resolution have a place in the public

complaints system. Mediation can help to identify the factors that led to the complaint in the first place. Very often, problems that arise from police and citizen interactions are the result of misunderstanding, failure to communicate, poor judgment or inappropriate behaviour. Through listening, exchanging perspectives and problem-solving, an agreement, mutual understanding and even reconciliation can emerge.

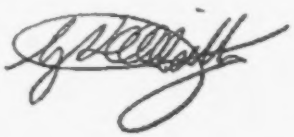
Informal resolution via mediation is a program that will be incorporated into the existing informal resolution process. In situations where the regular informal resolution may be unsuccessful, mediation can be offered. The OIPRD will coordinate mediation with mediation service vendors practicing community mediation. When the informal resolution via mediation program is established, we will then roll out local resolution via mediation. In addition, the customer service resolution (CSR) program will provide opportunities for complainants and respondent officers to voluntarily resolve less serious complaints before they are formally screened under the *Police Services Act*. The CSR program will start in April 2013 and informal resolution via mediation in the fall of 2013.

In 2012–13, the OIPRD provided training in facilitative mediation techniques to OIPRD staff as well as to police officers who will be facilitating customer service resolutions and informal resolutions without mediation.

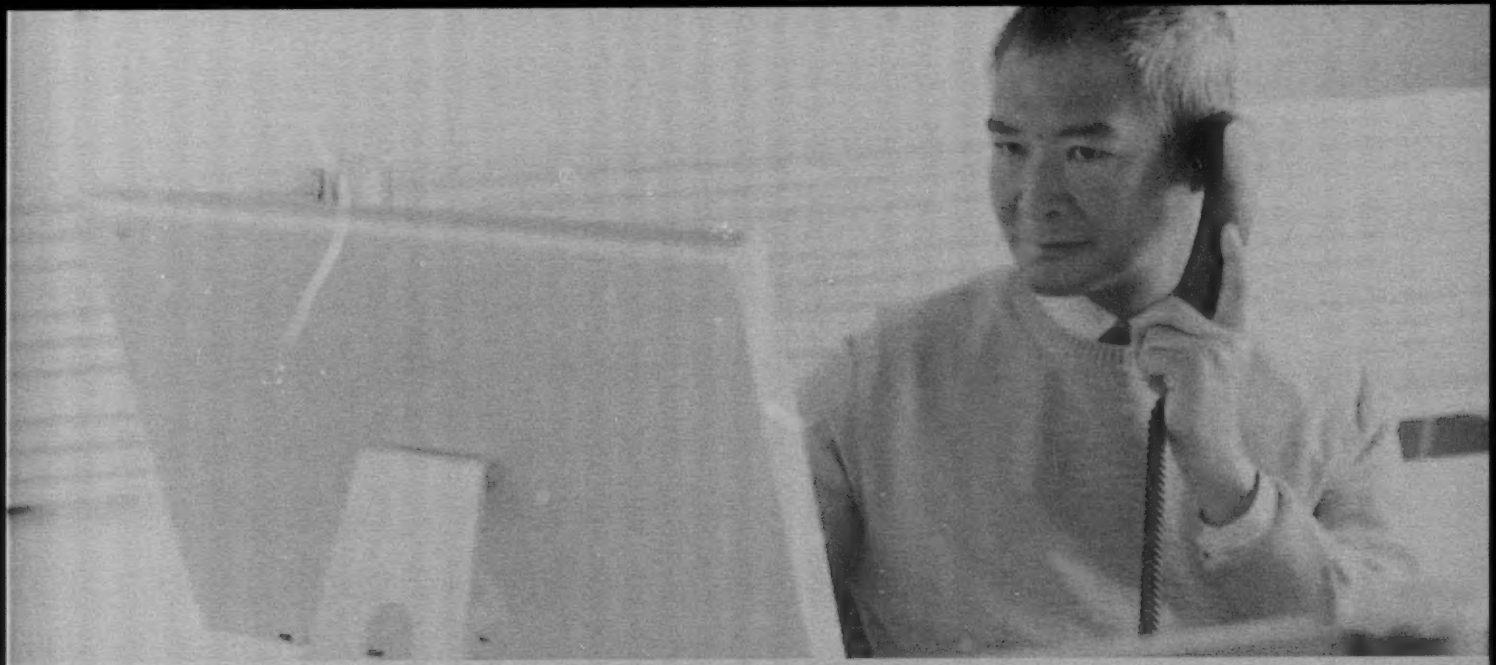
This year, my office also launched a complaint process feedback survey on our website. This automated online survey is for people who have gone through our complaints process. The feedback from this survey will help us determine whether we are meeting the needs of our stakeholders and whether improvements are needed in the way the complaints system is being delivered.

Over the past year, I have travelled throughout the province and spoken to a wide variety of groups about the OIPRD. I have visited policing organizations as well as oversight organizations across Canada and taken part in conferences nationally and internationally. Our outreach and education has become focused and has reached ever-larger audiences.

As we enter our fourth year, we will continue to examine our processes and create greater efficiencies where we can. I am lucky to have the energy, creativity, knowledge and commitment of my capable staff and I would like to thank them for the work that they do in the service of the public. I have been reappointed Independent Police Review Director for another five years and am very pleased to be able to continue the work I started. I continue to be committed to working cooperatively and collaboratively with all of our stakeholders, and to building public confidence and trust in the public complaints system.



Gerry McNeilly
Independent Police Review Director



ABOUT US

The Office of the Independent Police Review Director (OIPRD) was established under the *Independent Police Review Act, 2007*. The Act replaced Part V of the *Police Services Act* (PSA), establishing new guidelines for public complaints. The OIPRD is responsible for receiving, managing and overseeing all public complaints about the police in Ontario. As an independent civilian oversight agency, we make sure that public complaints about police are dealt with in a manner that is transparent, effective and fair to both the public and the police.

The Act provides a system for handling public complaints about the police in Ontario that is administered by an independent civilian oversight organization and sets out the process for determining how public complaints about police are handled.

The OIPRD began work on October 19, 2009, as an independent, neutral arm's-length agency of the Ontario Ministry of the Attorney General. Our mandate is to deal with all public complaints regarding the conduct of a police officer, the policies of a police service or the services provided by the police. We work cooperatively with both complainants and police to investigate and resolve complaints. We make our decisions independently of the government, the police and the public.

The Act requires that the Director must never have been a police officer and that staff of the OIPRD cannot be serving police officers. This means that all employees of the OIPRD are civilians.

Our Purpose and Goals

Central to our work is the belief that public confidence in the public complaints system will build greater community trust in our police services as a whole, and will contribute to increasing the overall effectiveness of police.

Our vision is for an easily accessible public complaints system that upholds the public's trust, investigates the complaints that require investigation in a fair, accountable, transparent and

effective manner, and has respect for all stakeholders' sensitivities.

Our goal is to provide effective oversight of public complaints, promote accountability of police services across Ontario and increase public confidence in the complaints system.

We do this through:

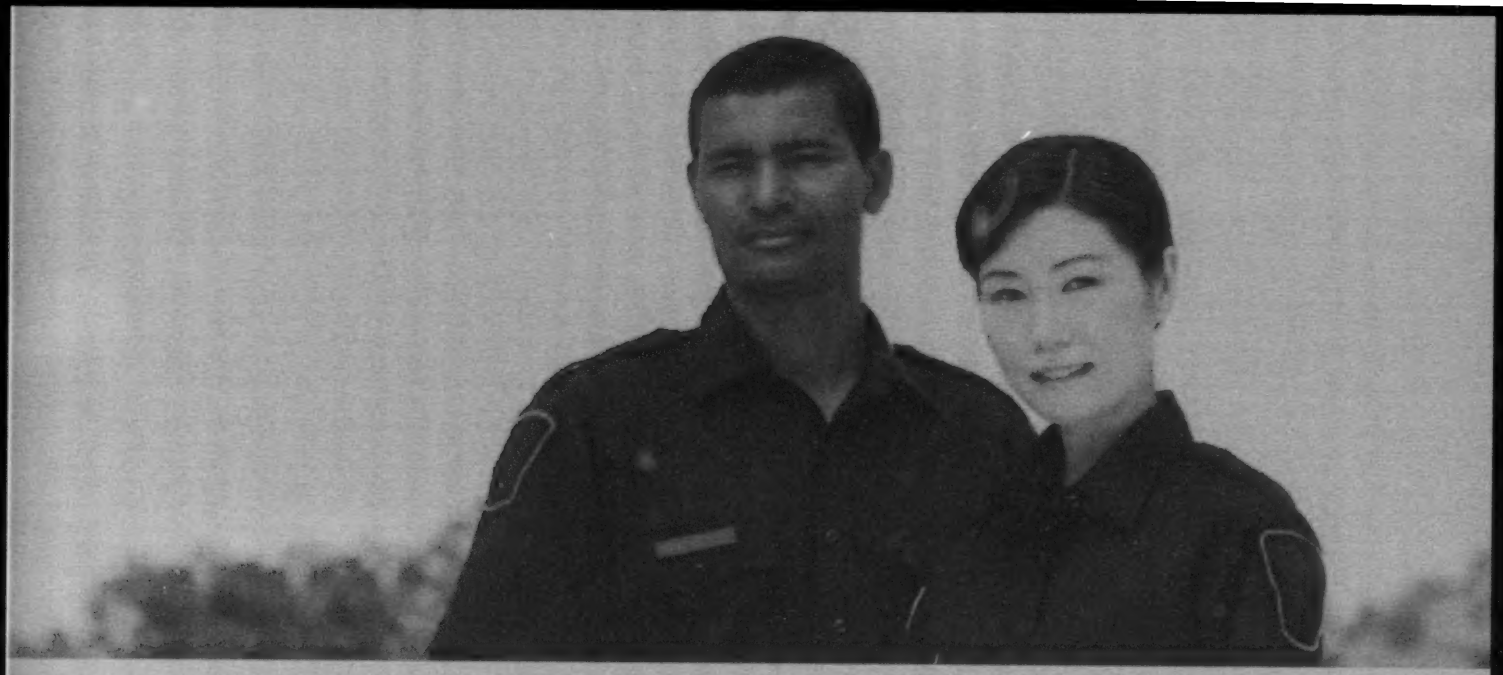
- Oversight of public complaints through to their conclusion
- Investigation of complaints
- Education and outreach to both police and the public
- Audits of how the complaints system is administered
- Systemic reviews
- Encouraging resolution of complaints.

In fulfilling our commitments we are guided by the principles of:

- **Accountability:** improving the transparency and accountability of the public complaints system and maintaining accountability for our actions to our stakeholders
- **Integrity:** providing professional, objective, timely services to all of our stakeholders, respecting the privacy and dignity of our stakeholders and treating them fairly
- **Independence:** overseeing investigations by police services in a fair, transparent and effective manner and conducting independent investigations thoroughly and fairly
- **Accessibility:** being accessible to the public to lodge complaints about police and building public awareness about the complaints system.

To help serve our stakeholders more efficiently, the OIPRD has divided the province into seven regions.

These regions are the same as the court regions for the province. While we have one central office located in Toronto, we are aware of the different challenges faced throughout Ontario. By dividing the province into regions, we are able to cater our programs to the specific region and still ensure that similar service is offered throughout Ontario.

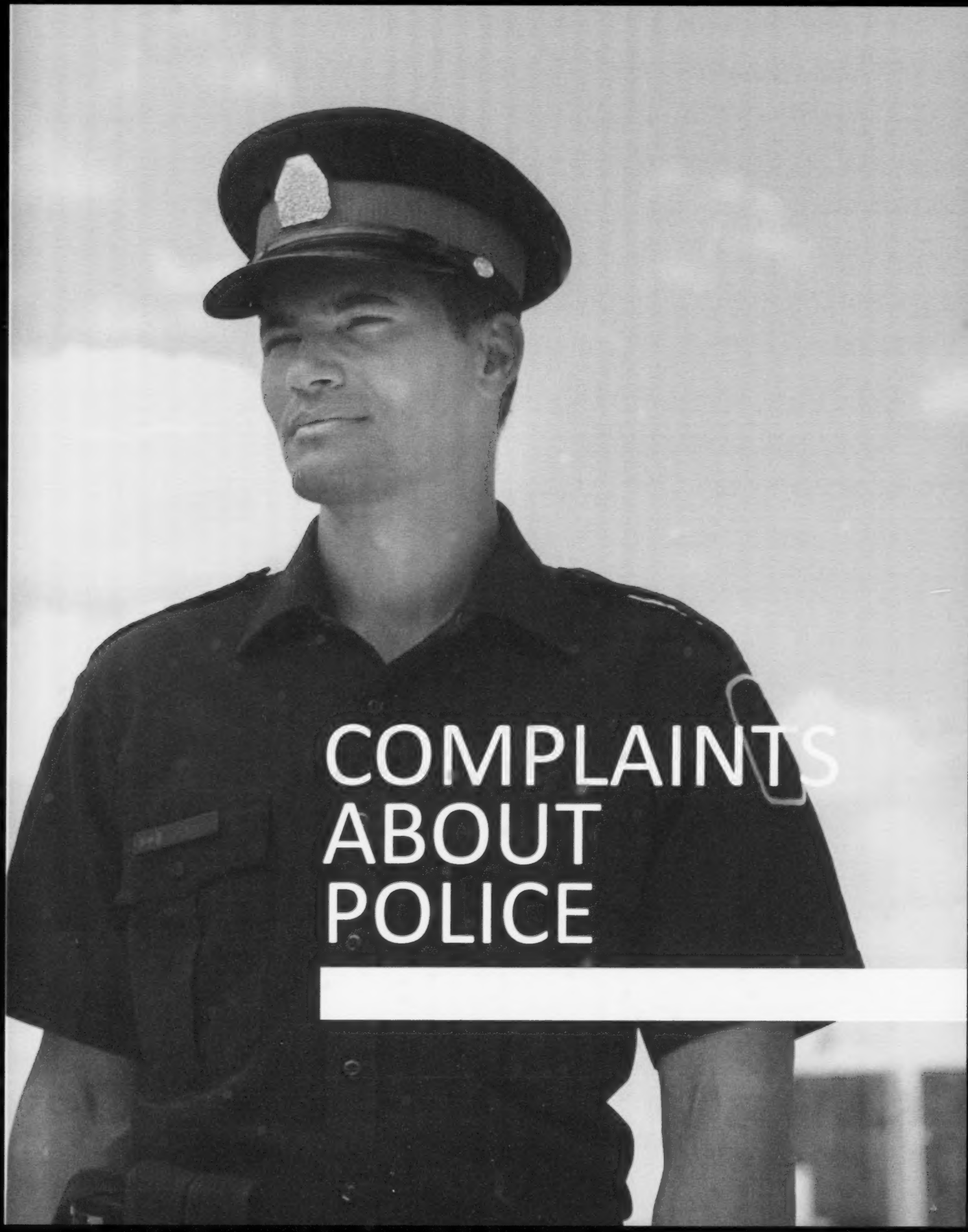


POLICE CODE OF CONDUCT

The *Police Services Act* includes general provisions on police misconduct. Sections 80 and 81 set out the categories for which a police officer may be found guilty of misconduct. Ontario Regulation 123/98 sets out the specific code of conduct for police officers. It also outlines the general categories for public complaints. The code of conduct identifies the following 10 acts as potential matters for investigation and possible discipline:

- Discreditable conduct
- Insubordination
- Neglect of duty
- Deceit
- Breach of confidence
- Corrupt practice
- Unlawful or unnecessary exercise of authority
- Damage to clothing or equipment
- Consumption of drugs or alcohol in a manner prejudicial to duty
- Conspiring, abetting or being an accessory to misconduct.

Police officers must work within the code of conduct. The PSA includes prescribed guidelines of discipline for violations of the code. Police organizations also have rules that are called policy and service standards that guide how they operate. Police officers must also follow the prescribed policies and service standards that are established by their services.


COMPLAINTS
ABOUT
POLICE

The OIPRD accepts complaints about the conduct of a police officer or the policies and services of a police department. Conduct complaints are about how a police officer behaves. Policies of a police department are the rules and standards that guide an officer in delivering police services. Services are how effectively and efficiently a particular department performs its duties.

The OIPRD's jurisdiction includes municipal and regional police services and the Ontario Provincial Police (OPP). Ontario has 54 municipal police services and 171 OPP detachments with approximately 24,500 sworn police officers.

The OIPRD may only investigate sworn police officers in Ontario. This does not include: RCMP officers, TTC Special Constables, GO Transit police, First Nations police officers, court officers, campus police, provincial offences officers or special constables. In addition, the OIPRD may only order hearings into misconduct under the *Police Services Act*. Our office cannot investigate or recommend criminal charges.

There is more than one way to make a complaint about police. People can file a formal complaint with the OIPRD or, if the complaint is minor, it can be dealt with as a local complaint at the police station.

A complainant can go into a police station and simply have a conversation to clear up a question or complaint. These conversations do not have to be filed with the OIPRD.

Local Resolution

Local resolution allows the police to solve, explain, clear up or settle a matter considered to be "less serious" directly with the complainant. The complaint must be dealt with in person at a police station or detachment by an officer in authority designated by the chief of police within 30 days of the incident.

Under local resolution, the complainant and the respondent officer are required to agree to the final resolution and sign a form indicating that the complaint has been resolved in a satisfactory manner. Local resolutions are not part of the formal public complaints system. The OIPRD does not actively participate in the process, but it performs an oversight role.

In 2012–13, there were 61 local resolutions. Complaints resolved through the local resolution process made up about 1.8 per cent of overall complaints. The chart below shows the number of complaints resolved by local resolution by region.

Local Resolutions by Region
April 1, 2012 – March 31, 2013

Local resolution can play a valuable role in helping to resolve minor complaints early with involvement from both parties. In an effort to encourage communication and mutual understanding between the police and the public, the OIPRD will be launching a mediation program in 2013–14 to assist in local resolution. Where a local resolution is unsuccessful, police services will be able to suggest mediation, and if the parties and the OIPRD agree, the OIPRD will arrange for the mediation.

If a complainant chooses local resolution and then changes their mind about participating in it or is unable to agree to a resolution, they may file a complaint with the OIPRD; otherwise, the matter becomes an "inquiry." An inquiry is neither a local resolution nor a formal complaint. The PSA provides that police services report the number of inquiries to the OIPRD on a quarterly basis. In 2012–13 there were 175 local inquiries reported to the OIPRD.

Formal Complaints to the OIPRD

Under the *Police Services Act*, any member of the public can file a complaint with our office about any sworn police officer in Ontario or the policy or service of a police station/detachment. You do not have to be a resident of Ontario to file a complaint.

In order to ensure a fair process for both parties, anonymous or unsigned complaints are not accepted. This is to allow complaints that are screened in to be properly investigated. Anonymous complaints do not provide a way for complainants to be interviewed or for the respondent officer to answer the complaint.

People can make a complaint about a police officer if they:

- Have a concern or were offended by something a police officer(s) said or did to them
- Were a witness to an incident involving a police officer(s) that concerned or offended them
- Are concerned or distressed as a result of the way a relative or friend has been treated by a police officer(s)
- Are acting on behalf of an individual listed above; for example, a member of an organization who has been given written permission to make a complaint on another's behalf
- Have a complaint that a police department has not provided proper service
- Have a complaint about a policy of a police department.

People can file their complaint directly with the OIPRD online using the e-filing function. When a complaint is filed online, the complainant will immediately receive a complaint reference number. If complainants do not wish to file online, they can complete a fillable complaint form or download a complaint brochure. Once the form is printed, completed and signed, it may be filed by fax, mail, scanned to PDF and emailed or submitted in person.

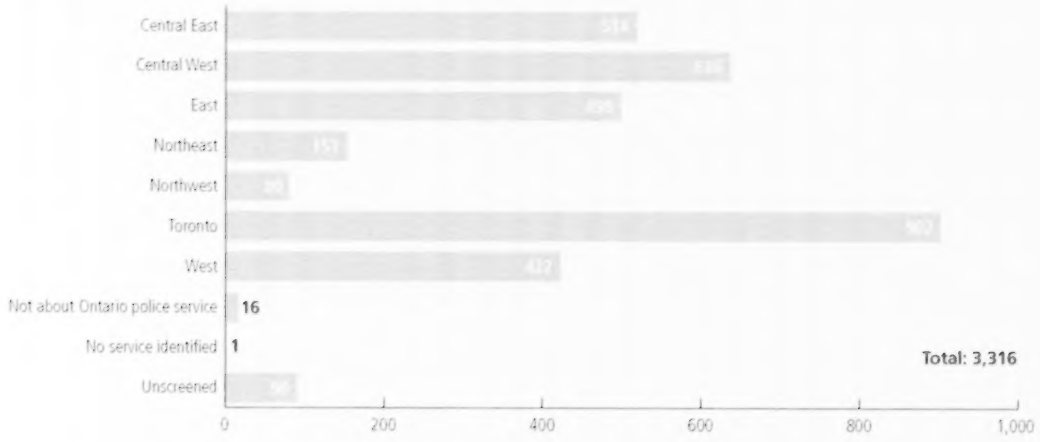
Complaints can also be filed at any municipal, regional or provincial police station in Ontario. Any police service will accept the complaint – complainants do not have to hand in their complaint to the service they are complaining about. The police service accepting the complaint must forward it to the OIPRD within three business days.

When a complaint is filed by fax, mail, scanned and emailed or submitted to a police service, the OIPRD sends the complainant a letter of acknowledgement, which includes a complaint reference number. The OIPRD will oversee the management of the public complaint from its receipt until the end of the investigation.

NUMBER OF COMPLAINTS FILED

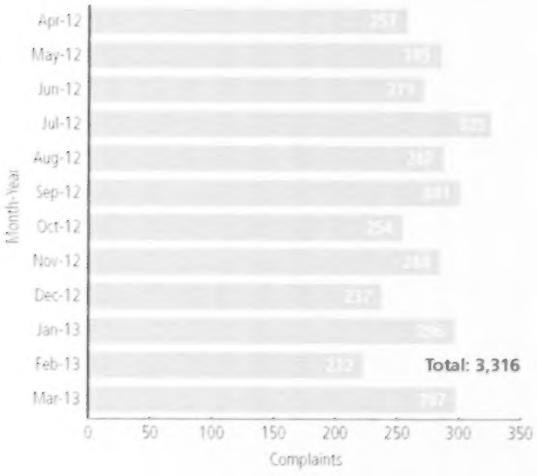
Between April 1, 2012 and March 31, 2013, the OIPRD received a total of 3,316 complaints, with an average of 275 complaints per month. Since the OIPRD opened on October 19, 2009, we have received more than 12,000 complaints.

Total Complaints Filed
April 1, 2012 – March 31, 2013
Number of complaints by region

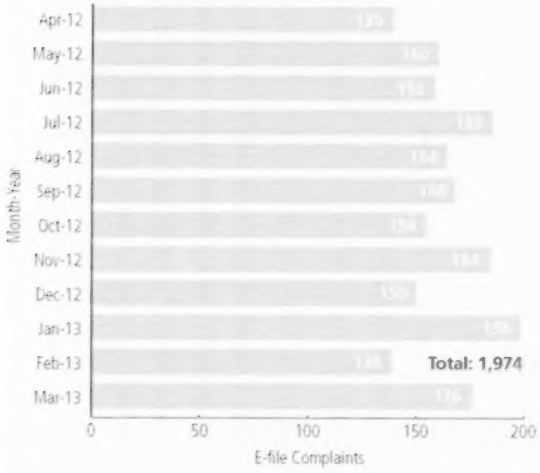


TREND OF COMPLAINTS RECEIVED BY E-FILE

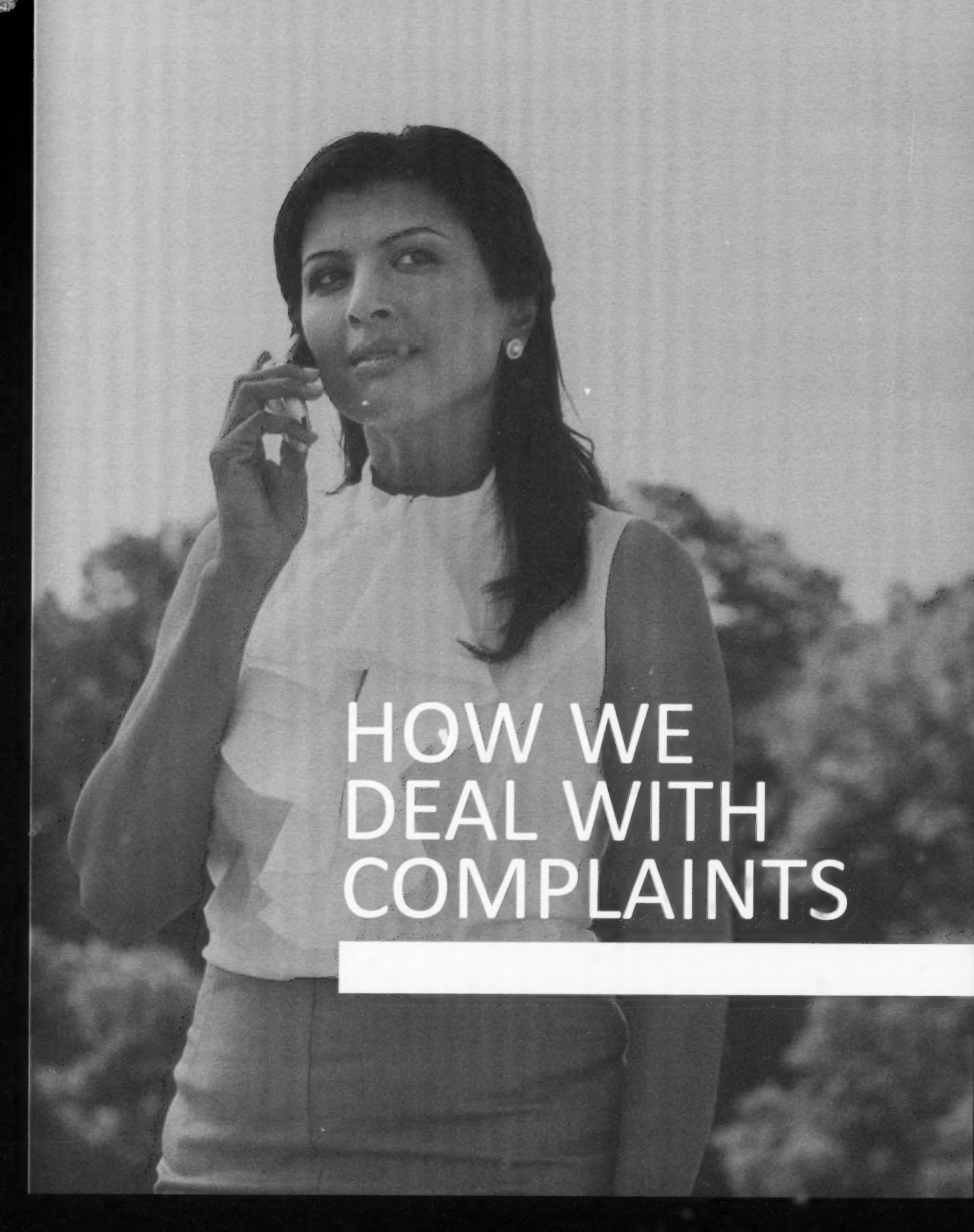
Total Complaints Filed
April 1, 2012 – March 31, 2013
All complaints by month



Total E-filed Complaints
April 1, 2012 – March 31, 2013
E-file complaints by month



These tables show the total number of complaints filed with the OIPRD and the number filed using e-file between April 1, 2012 and March 31, 2013. During this period, on average, e-file was used to submit 60 per cent of complaints every month. The average number of complaints filed via e-file was 165 per month. The number of e-filed complaints increased two per cent from 58 per cent in March 2012.


HOW WE
DEAL WITH
COMPLAINTS

Customer Service Resolution

In 2012–13, the OIPRD created the customer service resolution (CSR) program to provide opportunities for complainants and respondent officers to voluntarily resolve complaints before they are formally screened under the *Police Services Act*.

CSR allows for the early resolution of complaints, which has not been available in the formal complaints process due to the prevalence of electronic filing. While this is a quick and efficient way to file a complaint, it does not allow for any type of early resolution to occur because complaints are automatically submitted and go directly into a screening process.

In 2012, the OIPRD identified that processing relatively minor complaints efficiently had become an issue for police services. Through consultation with the Ontario Association of Chiefs of Police (OACP) and the Police Association of Ontario (PAO), we developed the CSR process to attempt to resolve complaints that are less serious in nature quickly and effectively.

Matters that are suitable for CSR are ones that could benefit from a conversation between the complainant and the respondent officer. The criteria for CSR are based primarily on the matters eligible for local resolution:

- Personal property – other than money or a firearm
- The use of profane language
- Acting in a disorderly/discreditable manner (incivility)
- Neglect of duty
- Failure to work in accordance with orders
- Failure to report a matter
- Omitting to make any necessary entry in a record
- Improper dress or appearance
- Conspiring and abetting the misconduct listed above.

The OIPRD reviews complaints at a very early stage to determine if they are less serious and therefore suitable for CSR. If so, the complainant, the affected police service and the respondent officer are contacted about resolving the complaint. If they do not agree to this option, the complaint is returned to the screening process and the complaint is either screened in or screened out. OIPRD case management ensures that this return to screening is done in a way that maintains the integrity of the screening process. The complaint is reviewed by another case coordinator without prejudice.

If the complainant, the affected police service and the respondent officer agree to CSR, the resolution process goes forward and a trained facilitator, usually a member of a police service's professional standards branch or a senior officer designated by the police chief, helps the complainant and the respondent officer resolve the matter.

In most CSR matters, the professional standards officer facilitates a meeting and a discussion between the complainant and the respondent officer. The meeting may take place at the police station or at another mutually acceptable location. Consideration is given to any perceived power imbalance and accommodations are made for the complainant's preferences when possible.

If an in-person meeting is not possible, or if the complainant prefers not to meet in person, a telephone discussion may take place.

As a last resort, the professional standards officer may arrange a shuttle discussion. This technique involves the officer discussing the matter with the respondent officer and the complainant separately. The professional standards officer then informs both the respondent officer and the complainant of the opinions and perspective of the other party and attempts to achieve a common understanding or mutually satisfying resolution to the issue. This type of discussion is reserved for occasions when the complainant specifically requests it or when the respondent officer is otherwise unavailable to meet. A shuttle discussion can only happen with the consent of both parties.

In some circumstances, the professional standards officer may request a mediator to help resolve the matter. If the Independent Police Review Director approves, our office arranges the mediation.

CSR allows the parties to exchange perspectives to understand what happened, discuss their concerns and take an active part in resolving issues. The CSR process is not expected to take more than 45 days. When a complaint is resolved, the parties sign off on the resolution agreement, which is sent to the OIPRD. The complaint is then closed as resolved by CSR.

This approach is similar to our local resolution process and is based on the recommendations of The Honourable Patrick LeSage in his *Report on the Police Complaints System in Ontario*. The report acknowledged the benefit for complaints to be dealt with informally and quickly.

Screening Complaints

When a complaint is received, our intake staff ensures the form is complete, signed and contains all the necessary information. In cases where additional information is required from the person filing the complaint in order to process it, the complainant will be contacted by the OIPRD before the complaint can proceed. If we are not able to get that information, the complaint cannot move forward.

All complaints are entered into a secure case management system that allows staff to manage all aspects of the case on an ongoing basis, from beginning to end. It also allows staff to create case files and add information to respective cases, including setting up complaint cases on the system.

Our intake staff reads the complaint to make certain it meets the requirements of a complaint under the *Police Services Act*. There are some matters that are not specified under the legislation and are therefore not in the OIPRD's jurisdiction.

"Not in the OIPRD's jurisdiction" means the complaint:

- Was not about a provincial, regional or municipal police officer in Ontario
- Was not about a policy or service of a provincial, regional or municipal police service in Ontario
- Was made by an individual excluded under the Act
- Did not contain a code of conduct violation.

COMPLAINT TYPES

If the complaint meets the requirements of a complaint under the PSA, case coordinators assess it to determine its type. Every complaint received must be screened and categorized as a policy, service or conduct complaint, or a combination of the three.

Policy complaints relate to the rules and standards that guide an officer in delivering police services. Where a particular policy guides police conduct, a complaint may be made about the policy. Service complaints may be about how effectively and efficiently a particular department performs its duties. In order to file a complaint, the complainant must be affected by the policy or service they are complaining about. Conduct complaints relate to allegations about the conduct of one or more individual police officers.

In 2012–13, the majority of complaints the OIPRD received pertained to issues involving the conduct of police officers. Of the complaints filed with the OIPRD, 93.1 per cent related to police conduct, 0.7 per cent related to the policies of police departments and 3.5 per cent related to services. The remaining 2.7 per cent were awaiting a screening decision as of March 31, 2013.

SCREENING IN AND SCREENING OUT

Cases Screened Out

The table below shows the total number of cases screened out for reasons under section 60 of the *Police Services Act*.

Complaints Screened out – April 1, 2012 – March 31, 2013	2012–13	From 2011–12	Total
Total screened-out cases in 2012–13	**1,703**	**56**	**1,759**
Conduct	**1,651**	**55**	**1,706**
Abandoned	37	5	42
Already dealt with by police service	2	0	2
Bad faith	1	3	4
Better dealt with under another act/law	195	9	204
Directly affected party already filed a complaint	23	0	23
Duplicate complaint	75	6	81
Frivolous	239	6	245
No jurisdiction under section 58	91	4	95
No PSA – no breach	316	11	327
Not in the public interest	342	1	343
Not valid submission	20	1	21
Over six months	174	2	176
Prior to proclamation	53	1	54
Third party criteria not met	42	1	43
Unable to contact complainant	8	1	9
Vexatious	4	0	4
Withdrawn prior to screening	29	4	33
Policy	**10**	**1**	**11**
Abandoned	0	1	1
Frivolous	1	0	1
No jurisdiction under section 58	1	0	1
Not in the public interest	7	0	7
Over six months	1	0	1
Service	**42**	**0**	**42**
Abandoned	3	0	3
Duplicate complaint	2	0	2
Frivolous	9	0	9
No jurisdiction under section 58	1	0	1
Not directly affected by service	3	0	3
Not in the public interest	20	0	20
Over six months	3	0	3
Withdrawn prior to screening	1	0	1

Explanatory Notes for Screened-out Cases

From 2011–12 cases: This number indicates complaints received in the previous fiscal year (2011–12) but screened during the next fiscal year (2012–13). Complaints filed in the last days of the fiscal year are often processed in the next fiscal year. For example, a complaint filed March 31, 2012 would be processed in the 2012–13 fiscal year.

The OIPRD has the legislative discretion to screen out complaints for a variety of reasons:

Abandoned: The contact information appears correct, but repeated attempts to contact the complainant produced no response.

Already dealt with by police service: Sometimes before a complaint is fully screened the matter has been dealt with by the police service, through an internal investigation or otherwise.

Bad faith: The Director may determine that a complaint is made in bad faith if there is clear evidence that the complaint was made for an improper purpose or with a hidden motive. A "bad faith" complaint may be one that is made with the intention of deceiving the OIPRD or police services.

Better dealt with under another act/law: Sometimes there are complaints that should clearly be dealt with by another authority. For example, a complaint solely disagreeing with a traffic ticket.

Directly affected party already filed a complaint: The complaint is already being investigated with the directly affected party as the complainant; for example, a consolidated complaint. Other complainants who were not directly affected may be interviewed as witnesses to the original complaint.

Duplicate complaint: A complainant filed the same complaint for the same incident more than once.

Frivolous: A complaint that is frivolous may be a complaint that is trivial or lacks an air of reality. Frivolous complaints may assign blame where there is none.

No jurisdiction under section 58: The complaint is not about policy, service or conduct; the police officer the complaint is about does not fall under the jurisdiction of the OIPRD; or the complainant is excluded from filing a complaint.

No PSA – no breach: A complaint about an officer's behaviour that is not a breach of the code of conduct.

Not in the public interest: When we determine what is in the public interest, we take a broad range of things into consideration, including:

- Whether there are issues of systemic importance or broader public interest at stake
- The effect of a decision to deal or not to deal with a complaint on the public's confidence in the accountability and integrity of the complaints system
- The number of complainants involved
- The significance of the complaint, including the seriousness of the harm alleged
- Whether the complaint is repetitious
- The likelihood of interfering with or compromising other proceedings
- Whether another venue, body or law can more appropriately address the substance of the complaint.

Not valid submission: Information may be omitted, such as contact information or signature and repeated attempts to contact the complainant provided no response.

Over six months: Complaints must be made within six months of the incident that the complaint is about.

Prior to proclamation: The OIPRD can only deal with complaints about incidents that happened on or after October 19, 2009.

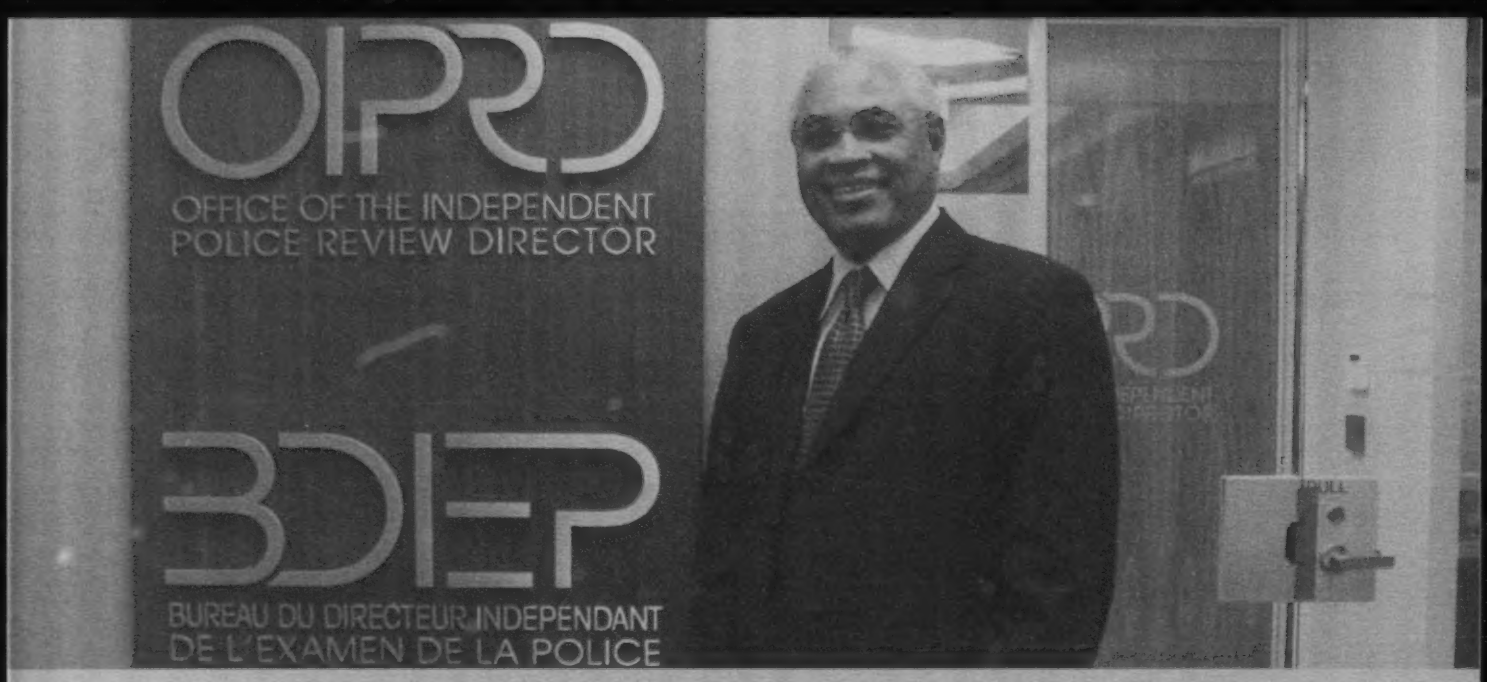
Third party criteria not met: Complainant is too remote from the incident – a complaint may be dismissed if the complainant is not one of the following:

- The directly affected person
- A witness
- Someone in a personal relationship with the person directly affected AND who suffered loss, damage, distress, danger or inconvenience
- A person who has knowledge of the conduct, or has possession of something that the Director feels is compelling evidence establishing misconduct or unsatisfactory work performance.

Unable to contact complainant: The contact information provided is incorrect or is not provided and the complainant could not be located. An example of this is an anonymous complaint. Without the ability to contact the complainant, a complaint cannot move forward.

Vexatious: A vexatious complaint may be one that is made out of anger or the desire to seek retribution. Vexatious complaints may lack a reasonable purpose or be made with the intention to harass or annoy. Vexatious complaints are often repetitive (filing the same complaint numerous times or filing repeated complaints about the same person).

Withdrawn prior to screening: The complaint was filed and then withdrawn before case management made a screening decision.



OIPRD POWERS

POWERS OF DIRECTION

Section 72(1) of the *Police Services Act* gives the Independent Police Review Director the power to direct all complaints, whether or not the matter is of a serious nature, from any time after referral and before a hearing has commenced. The Director can take, or require to be taken, any action that he considers necessary.

Under the PSA, the Director can also order a hearing into a complaint and assign the conduct of a hearing about a chief or deputy chief to the OCPC.

SEARCH AND SEIZURE

The OIPRD has the authority to:

- Search police premises and vehicles with or without a warrant
- Search other places with a warrant
- Summons persons or things under the *Public Inquiries Act*.

OFFENCES

The following new offences were created under the *Independent Police Review Act, 2007*:

- Harassment, coercion or intimidation in relation to a complaint
- Intentionally hindering or obstructing or providing false information to the Independent Police Review Director or an investigator
- Attempts to do any of the acts mentioned above.

No prosecutions of these offences can be carried out without the consent of the Attorney General of Ontario.

POLICE SERVICE PERFORMANCE AUDITS

To ensure that police policies and services are meeting the needs of the public they serve, the OIPRD may require a police services board to submit a performance audit. A performance audit is an audit of how a police service is dealing with public complaints. These audits are conducted, at the board's expense, by an independent auditor under the direction of the OIPRD. We will make the results of all audits available to the public.

Explanatory Notes for Screened-out Policy and Service Cases

Not directly affected: You must be directly affected to file a policy or service complaint.

Cases Screened In

From the complaints received between April 1, 2012 and March 31, 2013, the OIPRD screened in 1,523 complaints for investigation. There were also 777 complaints that were carried over from prior years. On March 31, 2013, 90 complaints were awaiting screening. As a result, there may be a difference between cases screened in, cases screened out and the total number of public complaints.

Based on the complaints received that were screened in, 1,436 complaints involved matters of police conduct, 14 referred to policies and 73 complaints raised issues about service.

The table below provides information on the breakdown of complaints screened in for each region.

Total Complaints Screened in by Region

			Carried over	
Region	**2012–13**	**2011–12**	**2010–11**	**2009–10**
Central East	245	109	1	0
Central West	311	126	5	1
East	253	69	8	2
Northeast	51	30	3	0
Northwest	37	36	1	0
Toronto	431	172	143	0
West	195	68	3	0
Total	**1,523**	**610**	**164**	**3**

Number of Conduct and Policy/Service Complaints Filed by Region

The number of complaints received varies across the regions of Ontario. In 2012–13, Toronto had the most complaints related to police conduct at 28 per cent, followed by the Central West region with 20 per cent. Toronto also had the greatest number of complaints regarding police policies and services at 25 per cent, followed by the Central West and East regions, tied at 21 per cent of total complaints about police policies and services.

Number of Screened-in Conduct Complaints Filed by Region

			Carried over	
Region	**2012–13**	**2011–12**	**2010–11**	**2009–10**
Central East	233	106	1	0
Central West	293	121	5	1
East	235	66	8	2
Northeast	48	26	3	0
Northwest	37	36	1	0
Toronto	409	162	143	0
West	181	66	3	0
Total	**1,436**	**583**	**164**	**3**

Number of Screened-in Policy/Service Complaints Filed by Region

Region	2012–13	Carried over 2011–12	2010–11	2009–10
Central East	12	3	0	0
Central West	18	5	0	0
East	18	3	0	0
Northeast	3	4	0	0
Northwest	0	0	0	0
Toronto	22	10	0	0
West	14	2	0	0
Total	**87**	**27**	**0**	**0**

Year to Year Case Flow

	2012–13 cases	From 2011–12 cases	From 2010–11 cases	From 2009–10 cases	Total
Cases carried over from years prior to 2012–13	0	666	164	3	833
Cases received April 1, 2012 to March 31, 2013	3,316	0	0	0	3,316
Total	**0**	**0**	**0**	**0**	**4,149**
Cases open as of March 31, 2013	766	30	131	1	928
Cases closed April 1, 2012 to March 31, 2013	2,550	636	33	2	3,221
Total	**0**	**0**	**0**	**0**	**4,149**

During fiscal year 2012–13, 3,221 complaints were closed, including cases from previous years, and 928 were still open.

Investigations

POLICY/SERVICE COMPLAINTS

The OIPRD screens complaints about policies and services of a police organization and oversees each complaint, but we cannot investigate them. The *Police Services Act* requires that all policy and service complaints be sent to the appropriate chief or the OPP commissioner for a response. The chief or commissioner has 60 days to provide a written report on all policy and service complaints to the complainant, the OIPRD and the police services board, outlining their decision with reasons. In the case of municipal, regional services and local OPP policies, the decision may be appealed to the appropriate police services board. Local OPP policies are developed by a police services board to guide an OPP detachment providing municipal or regional services. Decisions made by the commissioner regarding provincial OPP policies cannot be appealed.

COMPLAINTS ABOUT CHIEFS/DEPUTY CHIEFS

The OIPRD screens complaints about municipal chiefs and deputy chiefs and then refers them to the appropriate police services board. If the police services board decides that there may be misconduct the board must send it back to the OIPRD for investigation.

COMPLAINTS ABOUT OPP COMMISSIONER/ DEPUTY COMMISSIONER

Under the PSA, complaints about the OPP commissioner and deputy commissioner must be referred to the Minister of Community Safety and Correctional Services to be dealt with.

CONDUCT COMPLAINTS

Conduct complaints may be investigated by the OIPRD, the police service in question, or another service. It is the Independent Police

Review Director's decision who will investigate, but regardless, our office's oversight continues until the completion of the complaint.

The OIPRD Rules of Procedure describe the criteria for referring or retaining a complaint for investigation. The OIPRD considers carefully which complaints we will retain for investigation and which complaints we will refer to a police service.

One of the functions of the OIPRD is to ensure that investigations of conduct complaints throughout Ontario are completed within 120 days once a decision is made to retain or refer for an investigation. The timeline is important because the PSA requires that respondent officers be given notice of a hearing within six months of the decision to retain or refer a complaint for investigation. More complex investigations often take longer and as a result time extensions must be requested.

The OIPRD has clear guidelines and expectations about the process of investigations. Investigative reports are standardized. OIPRD investigators and police investigators use the same format when investigating conduct complaints. Investigative reports include:

- A summary of the complaint
- A summary of statements from those involved, including the complainant, respondent officer(s) and civilian and officer witnesses
- References to any information referred to or relied upon
- A description of the actual investigation
- Reference to code of conduct allegations, which is determined through investigation
- An analysis and conclusion of whether there are reasonable grounds to substantiate misconduct under the PSA.

Complaints Screened in for Investigation – April 1, 2012 – March 31, 2013

	2012–13 cases	From 2011–12 cases	From 2010–11 cases	From 2009–10 cases	Total
Screened in in 2012–13	**1,523**	**36**	**0**	**0**	**1,559**
Complaints screened in and referred to police service for investigation					
Conduct					
Same police service	1,316	30	0	0	1,346
Other police service	1	0	0	0	1
Policy					
Same police service	14	0	0	0	14
Service					
Same police service	73	1	0	0	74
Complaints screened in and retained by OIPRD for investigation					
Conduct	119	5*	0	0	124

*Two of the five cases were referred in 2011–12 and subsequently retained in 2012–13, one following a request for review, and one that was directed for further action under section 72.

PROFESSIONAL STANDARDS UNITS

Many police services in Ontario have professional standards branches, sections, bureaus or units that work to promote professionalism and integrity in their police service. Professional standards units investigate conduct complaints filed under Part V of the PSA and complaints about the services and policies of the police service that are referred to them by the OIPRD. Professional standards units also conduct internal investigations ordered by the police chief into allegations of officer misconduct or criminal activity, and handle local complaints from members of the public made at the police station. Professional standards officers may also facilitate complaint resolution for local complaints.

REFERRED – POLICE-MANAGED INVESTIGATIONS

When a police service investigates a conduct complaint, the OIPRD manages and oversees that complaint. Our Case management, Investigations and Legal Services units work closely with professional standards and liaison officers in cases where police services do not have professional standards units.

Case coordinators track the referred investigation as it progresses and coordinate with police service liaison officers as well as complainants to ensure that all directions, timelines and notice requirements are met. Case coordinators also receive and review interim investigative updates from the police service and work together with our Legal Services Unit and Director if issues arise.

If the OIPRD does not agree with the way the investigation is handled, the Director can direct the chief to deal with a complaint in a specific manner, assign the investigation to another service, take over the investigation or take or impose any action necessary.

Following the investigation, the investigating officer completes a standardized report that includes the results of the investigation.

In cases where a police service investigates, the chief determines whether the complaint is substantiated or unsubstantiated according to the standards set out in the legislation. The complainant, the respondent officer and the OIPRD receive the same report. The OIPRD reviews the investigative report and if issues are identified, the Director will instruct the police service appropriately. This may include directions such as answering questions, interviewing witnesses or gathering further evidence. In 2012–13, the Independent Police Review Director sent back eight conduct complaint investigations to police services for further investigation.

Between April 1, 2012 and March 31, 2013, police services investigated the majority of complaints, with oversight by the OIPRD. Specifically, there were 1,523 conduct complaints referred to police services for investigation. The legislation requires all policy and service complaints to be referred to the chief. In 2012–13, 87 policy and service complaints were sent to police services for a response.

RETAINED – OIPRD INDEPENDENT INVESTIGATIONS

In some cases the Director may choose to have the OIPRD investigate a conduct complaint. Very often these cases are more complex and may involve more serious allegations. The Director may retain an investigation if there is a possibility of conflict of interest issues at the local level.

From April 1, 2012 to March 31, 2013, the OIPRD retained 119 complaints for investigation.

When the OIPRD investigates a complaint, the investigator assigned to the complaint informs the complainant about how the complaint will be investigated, what cooperation they require and how a decision will be reached. The investigator prepares an investigation plan to conduct a thorough review of the case, identifying and summarizing the following:

- Background information
- Allegations
- Scope of the investigation
- Evidence
- Witness/respondent officers
- Civilian witnesses
- Time frames
- Other (including safety factors).

Once the investigation is complete, an investigative report is written and the Director reviews the report to determine whether there are reasonable grounds to substantiate the complaint. If the complaint is substantiated, the Director will also determine whether the matter is serious or less serious. If the Director determines there are no reasonable grounds, the complaint is unsubstantiated. A copy of the investigative report, along with the Director's findings, is forwarded to the complainant and the chief of police. The chief is also provided with a copy for the respondent officer.

The Director's decision is final and not subject to review under the PSA.

Snapshot of Cases in Progress – April 1, 2012 – March 31, 2013

	2012–13 cases	From 2011–12 cases		From 2010–11 cases		From 2009–10 cases		Total
	2012–13 cases referred/ retained in 2012–13	Cases referred/ retained in 2011–12 and carried over into 2012–13	2011–12 cases referred/ retained in 2012–13	Cases referred/ retained in 2010–11 and carried over into 2012–13	2010–11 cases referred/ retained in 2012–13	Cases referred/ retained in 2009–10 and carried over into 2012–13	2009–10 cases referred/ retained in 2012–13	
Cases screened in and referred	**1,404**	**501**	**31**	**20**	**0**	**2**	**0**	**0**
Conduct	1,317	475	30	20	0	2	0	0
Policy	14	5	0	0	0	0	0	0
Service	73	21	1	0	0	0	0	0
Cases screened in and retained	**119**	**73**	**5**	**144**	**0**	**1**	**0**	**0**
Conduct	119	73	5*	144	0	1	0	0
Total cases screened in and open during 2012–13	**1,523**	**574**	**36**	**164**	**0**	**3**	**0**	**2,300**

* Two of the five cases were referred in 2011–12 and subsequently retained in 2012–13, one following a request for review, and one that was directed for further action under section 72.

Complaints Screened in for Investigation – Closed April 1, 2012 – March 31, 2013

	2012–13 cases	From 2011–12 cases	From 2010–11 cases	From 2009–10 cases	Total
Total cases screened in and closed	**847**	**580**	**33**	**2**	**1,462**
Abandoned	9	12	3	0	24
Better dealt with under another act/law	2	1	0	0	3
Closed after appeal to OCPC	0	0	0	1	1
Closed after investigation	300	349	26	1	676
Closed after request for review	30	74	2	0	106
Consolidated complaint	5	0	0	0	5
Frivolous	1	0	0	0	1
Informally resolved – after investigation	2	2	1	0	5
Informally resolved – during investigation	204	64	0	0	268
No jurisdiction under section 58	16	0	0	0	16
Not in the public interest	17	3	0	0	20
Over six months	1	0	0	0	1
Prior to proclamation	0	1	0	0	1
Vexatious	1	0	0	0	1
Withdrawn after investigation	0	2	0	0	2
Withdrawn during investigation	259	72	1	0	332
Total screened in and closed in 2012–13	**847**	**580**	**33**	**2**	**1,462**
Total screened out in 2012–13	**1,703**	**56**	**0**	**0**	**1,759**
Total closed in 2012–13	**2,550**	**636**	**33**	**2**	**3,221**

Explanatory Notes for Complaints Screened in for Investigation – Closed Cases

From 2009–10, 2010–11 or 2011–12 cases: This number indicates complaints received in the previous fiscal year but carried over to the next fiscal year. Complaints may have been filed in the last days of the fiscal year. If so, they are then processed in the next fiscal year. Some cases have undergone an investigation and are awaiting a disciplinary hearing, while others are awaiting the results of a second request for review, having already undergone one request for review and two investigations.

Cases may be screened in, and, during the investigation, they may be found to be better dealt with under another act or law, frivolous, not in the public interest to investigate further, over time limits or vexatious.

COMPLAINTS INVOLVING THE SPECIAL INVESTIGATIONS UNIT

In some cases, a public complaint may contain allegations and information that will trigger the chief's obligation to notify the Special Investigations Unit (SIU). The SIU is an arm's-length agency of the Ministry of the Attorney General that investigates reports involving police where there has been death, serious injury or allegations of sexual assault.

In those complaints, there may be overlap between the OIPRD and the SIU in that the professional misconduct alleged by the complainant in his/her complaint to the OIPRD is the same conduct that forms the basis of the criminal investigation being conducted by the SIU. Despite this potential overlap, the investigations conducted or overseen by the OIPRD are not investigations into the potential criminal wrongdoing of a police officer; rather, they remain investigations into alleged professional misconduct by the officer. The OIPRD cannot find that criminal conduct has occurred or that charges ought to be laid, but may find that professional misconduct has occurred in contravention of the PSA.

In cases where the OIPRD has screened in a complaint for investigation and has decided to conduct that investigation itself, and where the SIU has invoked its mandate, the SIU investigation is given primacy. In other words, the OIPRD generally does not interview any witnesses until the SIU completes its interviews of the witnesses, so that the criminal investigation is not compromised.

PRIVACY AND CONFIDENTIALITY IN THE PUBLIC COMPLAINTS SYSTEM

Public complaints made to the OIPRD are matters which often involve an individual's personal interaction with the police. Therefore, complainants, respondent officers, the witnesses to the incident and those involved in the process have very important privacy interests, which must be safeguarded. The OIPRD endeavours to protect the privacy of all individuals involved in the complaints process. Based on the *Freedom of Information and Protection of Privacy Act* (FIPPA), as well as s. 26.1(9) and s. 95 of the PSA, the OIPRD cannot, and does not, provide any third party with any information about complaints or complainants. Therefore, the OIPRD does not publicly comment on, or release information about, an individual public complaint. In addition, respecting the privacy and confidentiality of the complaints process helps maintains the integrity and autonomy of the screening, investigation, review and hearing processes.

The OIPRD only provides information about complaints as is prescribed by legislation or law. For example, the OIPRD provides information about a complaint to the police service that is conducting an investigation. Where an investigation has been completed, the OIPRD provides a copy of the investigative report, along with the Director's findings, to the complainant, the chief of the police of the affected service and the respondent officer. The OIPRD will not provide its investigative report to any other party. The OIPRD similarly does not release the investigative reports prepared by the police services, where the investigation of the complaint had been referred to a police service.

Disciplinary hearings held pursuant to the PSA are public hearings. If a complaint proceeds to a disciplinary hearing, upon receipt of the hearing decision, the OIPRD will post the decision on our website. In appropriate cases, there may be a ban on the publication of the complainant's name.

The OIPRD may also be directed, by a court, tribunal or inquest, to release some portion of its records as a result of a third party records application. In such cases, the OIPRD would request that the court, tribunal or inquest impose very strict conditions on the use and dissemination of this material.

KEY THEMES FROM CONDUCT COMPLAINTS 2012–13

Incivility

Incivility continues to be one of the biggest causes for complaints against police. On the surface, many complaints of incivility seem to be minor. However, underlying that is the reality that many of these complaints are legitimate and deserve to be taken seriously.

The role of a police officer is to uphold the law, to investigate crimes, and generally to serve and protect the public. Their role is also to protect the rights of the public and to help citizens. In our society, many people have grown up believing that they can turn to the police for help when they need it. In order to do that, they have to place a lot of trust and confidence in police officers. And they have to believe, in turn, that they will be treated with respect.

Complaints about attitude and behaviour are very difficult to prove when the process requires that there must be reasonable grounds to show that misconduct occurred in order for a complaint to be substantiated. Often, an investigation into an incivility complaint comes down to the complainant's word against the respondent officer's word. If a complainant feels that an officer's behaviour has been rude, dismissive or insulting, then that experience is real to them. When a complainant is told that their complaint cannot be substantiated on evidence, they sometimes think that means investigators believe they must be lying. The fact that an investigative process cannot prove that experience for the complainant unless there are actions or words that have been witnessed by other people does not make the experience any less real.

Negative contact with the police can have a huge impact on a citizen's confidence and trust in the police service as a whole. The complaints of incivility by police officers that the OIPRD gets usually involve officers with between zero and seven years of experience on the job. A large number of the complaints occur in the context of a traffic stop.

The vast majority of people who are stopped by police, or who have to interact with police, are nervous. This is usually because of the authority that police have. They carry lethal weapons, they can stop people, arrest them and use force on them. The nervousness that people exhibit when they are stopped does not necessarily mean the person has done something wrong or has something to hide.

A fundamental part of police professionalism is communicating effectively. It is up to police officers to provide some information and guidance as they carry out their duties and interact with the public. Very often it is a misunderstanding that gives rise to incivility and when it is answered with more incivility, a situation can escalate. Effective communication can help de-escalate issues and problems and complaints of incivility can often be avoided.

One of our priorities is to work with police services to reduce the number of complaints of incivility and to deal effectively with the ones that we receive. The Independent Police Review Director regularly addresses the topic of incivility with the Ontario Police College and with students in police foundations courses in order to help reduce these types of complaints. Our customer service resolution and mediation programs offer ways to deal with complaints of incivility and provide opportunities to build understanding between complainants and officers through a complaint resolution process.

Unlawful or Unnecessary Exercise of Authority and Neglect of Duty

Allegations of unlawful or unnecessary exercise of authority and neglect of duty are other dominant themes in complaints filed with our office.

In 2012–13, there were approximately 1,000 allegations of unlawful or unnecessary exercise of authority in complaints to the OIPRD. Many of these were allegations of use of force. An example of a fairly common use of force complaint is in the context of officers executing a search warrant. Complainants have alleged that officers kick doors in, break furniture and take complainants to the floor with excessive force. They say officers punch them, kick them, or knock their heads against walls or floors, put handcuffs on too tightly and hit, threaten or frighten family members.

Some of the complaints we receive are not about what the police did do, but about what they did not do. Allegations that police failed to properly investigate an incident, or did not take a call for police seriously, fall into this category. In 2012–13, there were about 460 allegations of neglect of duty.

Potential Outcomes and the Decision Process

WITHDRAWAL OF COMPLAINTS

A complainant can withdraw their complaint as long as it has not proceeded to a hearing. If a complainant wants to withdraw their complaint after a hearing has begun, they need to have the consent of the Director and the chief of police.

Between April 1, 2012 and March 31, 2013, 368 complaints were withdrawn by complainants. Some were withdrawn prior to screening; however, the majority were withdrawn during the investigation.

INFORMAL RESOLUTION

Informal resolution can be attempted at any time during the investigation of a complaint, where the OIPRD approves and the complainant, respondent officer and the chief of police agree. It may also be recommended at the conclusion of a conduct complaint that is substantiated as less serious.

The decision to recommend informal resolution depends on the circumstances of each case. Some examples of conduct that may be suitable for informal resolution include:

- Discreditable conduct that does not involve a breach of trust
- Discreditable conduct or incivility, which may include allegations of discrimination or rude or profane language, damage to clothing or property, unlawful or unnecessary exercise of authority
- Excessive use of force that does not result in serious injury.

Some examples of conduct that may not be suitable for informal resolution include:

- Conduct that would support a criminal charge
- Deceit
- Corruption
- Breach of confidence
- Unlawful or unnecessary exercise of authority that results in serious injury to the complainant
- Incidents involving firearms or conducted energy devices (Tasers) in a manner that is inconsistent with the *Police Services Act*.

If a complainant or respondent officer agrees to participate in an informal resolution, but changes their mind, they may revoke consent to informal resolution at any time, provided no resolution has been carried out. If a complainant or respondent officer has agreed to a proposed resolution, they have 12 days to change their mind.

For an informal resolution to be complete, the agreed-upon resolution must have been carried out. For example, if training is part of the resolution, it must have been completed for the informal resolution to be considered closed. The OIPRD monitors informal resolutions to ensure all resolutions are carried out.

If a complainant or respondent officer revokes their consent to informal resolution before the conclusion of an investigation into a complaint, the investigation will proceed. If a complainant or respondent officer revokes consent to informal resolution after the investigation into a complaint has been concluded, the chief of police may impose disciplinary action without a hearing, should he or she believe that it is appropriate.

Between April 1, 2012 and March 31, 2013, there were 268 requests for informal resolution during an investigation. Five substantiated less serious complaints were informally resolved after an investigation.

INFORMAL RESOLUTION VIA MEDIATION

Beginning in 2013–14, the Office of the Independent Police Review Director will be implementing a mediation program associated with the existing informal resolution process. When that program is established, we will roll out a local resolution via mediation program.

Informal resolution without mediation will continue to be the first kind of informal resolution that will be attempted. However, in situations where informal resolution without mediation would likely be unsuccessful, or where the complainant is reluctant to accept a process being led by the police service or where there may be concern about power imbalance, but the complainant is still willing to resolve the matter, informal resolution via mediation may be proposed. A decision not to participate in mediation will have no impact on a complainant's or respondent officer's rights in the complaints process.

If the OIPRD approves mediation, a mediation service will be engaged to determine whether or not the case can be mediated. If it is determined the case cannot be mediated, the case will be returned to the police service or the OIPRD for investigation.

If it is determined that the case can be mediated, the mediation service will conduct the mediation. If the mediation is successfully resolved, the parties will sign an agreement. The OIPRD will assess the outcome of the mediation and if it is satisfactory, the mediation case will then be closed as informal resolution via mediation.

The OIPRD uses the community mediation model as defined by the Ontario Community Mediation Coalition. Community mediation is a facilitative and transformative model of conflict resolution that is voluntary and confidential. The complainant and the respondent officer meet together with a mediator, who facilitates the process, but does not try to influence or pressure either party to reach an agreement. The mediator is impartial and does not make recommendations to the parties or give his or her own advice or opinion. The parties are encouraged to share their perspectives, consider each other's needs, interests and feelings and make their own decisions. The complainant and the respondent officer move the process forward through open communication and come to a mutually agreeable resolution. The mediator is in charge of the process, while the parties are in charge of the outcome.

MAKING A DETERMINATION: SUBSTANTIATED AND UNSUBSTANTIATED COMPLAINTS

At the end of an investigation, conduct complaints are determined to be substantiated or unsubstantiated based on reasonable grounds. The PSA states that there must be "reasonable grounds" to believe that misconduct occurred in order for a complaint to be substantiated.

"Reasonable grounds," in a police complaints context are facts or circumstances of a case that would lead an ordinary and cautious person to believe that misconduct occurred. This belief must be more than a suspicion or an opinion of misconduct and must be objectively based on factual evidence. The concept of reasonable grounds has a long history in criminal jurisprudence. One of the commonly cited cases for a definition of this phrase is in the context of an officer forming reasonable grounds for arrest and is taken from *R. v. Storrey* [1990] 1S.C.R.241: "It is not sufficient for the police officer to personally believe that he or she has reasonable and probable grounds to make an arrest. Rather, it must be objectively established that those reasonable and probable grounds did in fact exist. That is to say, a reasonable person, standing in the shoes of the police officer, would have believed that reasonable and probable grounds exist to make the arrest."

Complaints may also be found to be unsubstantiated if there are no reasonable grounds to conclude a violation of the police code of conduct occurred. The complaint is then considered closed, subject to a request for a review of the chief's decision. If the OIPRD has investigated, there is no option for review. From April 1, 2012 to March 31, 2013, 2,484 allegations were found to be unsubstantiated, including complaints from previous years that were resolved in 2012–13.

If a complaint is substantiated it is further determined whether the complaint is less serious or serious in nature. Less serious complaints may be resolved informally if everyone agrees, or, if informal resolution fails, the chief can resolve the matter through a disposition without a hearing.

Where the conduct is determined to be serious, the chief must hold a disciplinary hearing. Informal resolution is not allowed for matters that are serious.

Between April 1, 2012 and March 31, 2013, 321 conduct allegations were found to be substantiated. One hundred and twenty-seven of these substantiated findings were found to be less serious and 194 findings were serious, including complaints from previous years that were resolved in 2012–13.

Between April 1, 2012 and March 31, 2013, there were 12 policy or service complaints where action was taken and 54 policy or service complaints where no action was taken, including complaints from previous years that were resolved in 2012–13.

Conduct Complaint Allegations – Decisions Issued/Received in 2012–13 by Region

	Unsubstantiated	Substantiated less serious	Substantiated serious – Hearing
Central East	316	22	5
Central West	442	17	16
East	261	23	12
Northeast	82	8	10
Northwest	123	4	4
Toronto	855	26	122
West	405	27	25
Total	**2,484**	**127**	**194**

Policy/Service Complaint Allegations – Decisions Issued/Received in 2012–13 by Region

	No action taken (policy/service)	Action taken (policy/service)
Central East	6	2
Central West	15	1
East	4	6
Northeast	5	1
Northwest	0	0
Toronto	14	1
West	10	1
Total	**54**	**12**

Reviews and Appeals

There is no right of review from decisions made by the OIPRD. We are a neutral and independent agency and the Director's decisions are final.

If a complainant disagrees with an investigation by the police where the complaint is found to be unsubstantiated or less serious, the complainant may ask the OIPRD to review the decision. A complainant has 30 days from the day they were notified of the result of their complaint to request a review.

When the OIPRD receives a request for review, a review panel is created to evaluate the entire investigative file. Review panels include members of the OIPRD Legal Services Unit, Investigations Unit, Case Management Unit and the Director. If, upon review, the OIPRD agrees with the chief of police's or OPP commissioner's decision, the complainant is advised as to why that decision was made. The OIPRD's decision regarding the review is final. If the OIPRD agrees with the complainant, the OIPRD instructs the chief or commissioner on how to deal with the complaint.

Between April 1, 2012 and March 31, 2013, we received 132 requests for reviews. In addition, 36 request for review cases were carried over from previous years.

In cases where a matter went to a hearing and an officer was disciplined, complainants who are dissatisfied with the result of the disciplinary hearing may file an appeal with the Ontario Civilian Police Commission (OCPC). The OCPC is an independent agency of the Ministry of Community Safety and Correctional Services.

If a complainant has made a policy or service complaint and is not satisfied with the conclusion, an appeal may be made to the appropriate police services board in the concerned region.

Requests for Review

		2012–13 cases	From 2011–12 cases	From 2010–11 cases	Total
Requests for Review carried into 2012–13		0	34	2	36
Requests for Review received in 2012–13		76	56	0	132
Total Requests for Review open during 2012–13		**76**	**90**	**2**	**168**
Requests for Review not screened on March 31, 2013		**2**	**0**	**0**	**2**
Total Requests for Review closed – no review by panel – file closed		**9**	**7**	**0**	**16**
Abandoned		0	1	0	1
No right of review		6	0	0	6
Request filed late		3	5	0	8
Withdrawn		0	1	0	1
Total Requests for Review completed and closed		**34**	**80**	**2**	**116**
Initial Request for Review					
	Assign 2nd investigation to same service	1	9	0	10
	Chief's decision confirmed	31	66	0	97
	OIPRD takes over investigation	0	1	0	1
	Panel varied decision	2	2	0	4
Second Request for Review					
	Chief's decision confirmed	0	2	2	4
Total Requests for Review open and carried into 2013–14		**31**	**3**	**0**	**34**
Initial Request for Review					
	Awaiting Request for Review materials	9	0	0	9
	Examining investigative file	19	0	0	19
	Summary completed	3	2	0	5
Second Request for Review					
	Examining investigative file	0	1	0	1

Explanatory Notes for Requests for Review

No right of review: A request for review was made regarding a complaint that was investigated by the OIPRD. There is no right of review of decisions made by the OIPRD.

Abandoned: The complainant was not responsive to requests for information.

Withdrawn: The complainant withdrew their request for a review.

Request for review filed late: The request for a review was received more than 30 days after the chief's decision was received by the complainant.

Assigned second investigation to same service: The panel determined a second investigation was required and returned the complaint to the same service.

Chief's decision confirmed: The review panel agreed with the chief's decision.

OIPRD takes over investigation: The review panel determined a second investigation should occur and the OIPRD should conduct the investigation.

Panel varied decision: The OIPRD panel changed the decision – from unsubstantiated to substantiated, or from less serious to serious, for example.

Awaiting request for review materials: After receiving a request for review, the OIPRD may determine it needs more information regarding the investigation in order to make a decision.

Examining investigative file: The OIPRD Investigations Unit has received all materials related to the request for review and is examining the file.

Summary completed: The Investigations Unit has reviewed the request for review file but has not presented to the review panel.

Disciplinary Hearings and Penalties

The OIPRD does not manage discipline or disciplinary hearings. Disciplinary hearings are conducted by hearing officers appointed by chiefs of police. Discipline is imposed by chiefs of police.

The *Police Services Act* provides guidance in imposing appropriate measures for misconduct and lists the following penalties and measures that may be imposed:

- Reprimand
- Direction to undergo specific counselling, treatment or training
- Direction to participate in a specified program or activity
- Forfeiture of pay or time off
- Suspension without pay
- Demotion
- Dismissal.

If an officer is found guilty of misconduct, hearing officers take a number of factors into consideration regarding the final penalty. Similar to other hearings, past disciplinary hearing or court decisions may be submitted by both sides as arguments for an appropriate penalty. The officer's previous record and work performance is also considered. The hearing officer will also take into consideration if the officer shows remorse and takes responsibility for his or her actions.

Penalties for less serious conduct complaints may include an apology, a reprimand, direction to participate in counselling, treatment or training, forfeiture of pay or time off or suspension without pay. Penalties for serious conduct complaints may include forfeiture of pay, suspension, demotion or dismissal.

Where a disciplinary hearing is held about a complaint, the police chief and police services board are required to provide a copy of the disciplinary hearing decision to the OIPRD. These decisions are required, by legislation, to be posted on the OIPRD website.

Since October 19, 2009, the OIPRD has received 25 decisions from PSA hearings on public complaints and posted them on our website.

Disciplinary hearing results may be appealed to the OCPC.

DISCIPLINARY HEARING EXAMPLES

The decisions posted on our website are from public complaints that resulted in a disciplinary hearing. Most of the cases were substantiated as serious, but in some cases less serious conduct resulted in a hearing. We also post hearing decisions where officers were found not guilty of misconduct. We have provided short summaries of some examples of cases that went to a hearing.

Ottawa Police and Constable KH

Constable KH, along with another officer and security personnel from a housing complex, attended an apartment where the tenant invited them to enter. Upon entering, police officers noticed an individual in the bedroom attempting to hide drugs and paraphernalia. Constable KH entered the bedroom and closed the door. He searched the individual and found pieces of crack cocaine, Oxycontin

pills, crack cocaine pipes and some cash. A security officer indicated in a report that Constable KH arrested and handcuffed the individual. Constable KH made no notes of this arrest or his attendance at the apartment. The report also stated that Constable KH flushed the drugs down the toilet. Constable KH indicated in his interview with professional standards investigators that in the past he had flushed drugs and also broke them up and threw the pieces into the garbage. After flushing the drugs and disposing of the drug paraphernalia, Constable KH removed the handcuffs. He and the other officer left the apartment.

On another occasion, Constable KH, along with another officer and security personnel from a housing complex attended an apartment unit, were invited in and searched the apartment. The other officer located a female crouched under the kitchen sink and informed Constable KH. She was known to Constable KH as a sex trade worker and a drug addict. Constable KH told her to come out from under the sink; however, she did not move immediately. He advised investigators that he warned her that if she did not come out with her hands visible, he would pepper spray her. When she did not move immediately Constable KH pepper sprayed the female. Constable KH admitted to investigators that he did not know for sure that the female was who he thought she was.

Constable KH also faced several counts of discreditable conduct relating to 17 unauthorized Canadian Police Information Centre (CPIC) queries he made for non-employment related reasons. No incident report or intelligence information was submitted regarding the parties queried.

Constable KH was found guilty of discreditable conduct, unlawful exercise of authority and unlawful or unnecessary exercise of authority. He was demoted to third-class constable for six months. Following that and upon a satisfactory performance review, Constable KH would be moved up to second-class constable for six months. Constable KH would return to first-class constable after a satisfactory performance review and all required training was completed.

Durham Regional Police Service and Constable CW

Constable CW stopped a driver for a *Highway Traffic Act* violation. As a result of the stop, the driver and Constable CW had a physical altercation. The driver received minor injuries and was arrested. The driver was placed in a cruiser and transported to a Durham Regional Police station. The injuries were significant enough for his transport to a hospital and attendance of a physician to evaluate them.

Constable CW was requested to provide a follow-up report to complete the investigation of this traffic stop. Constable CW ignored the request to complete the report.

Constable CW was found guilty of unlawful or unnecessary exercise of authority and neglect of duty. His penalty was demotion from first-class constable to second-class constable for 15 months, after which he would be reinstated to first-class constable. Counselling and remedial training sessions were also ordered.

Ontario Provincial Police and Provincial Constable JM

Constable JM stopped a vehicle in which two individuals were travelling. During the stop, he conducted a search of the vehicle. He crouched down, placed his head below seat-level, shone a flashlight around and under the seat and floor, and looked under the seat area while the female passenger dressed in a short skirt with bare legs was sitting in the seat. The female passenger asked on two separate occasions if Constable JM wanted her to get out of the vehicle. Constable JM did not have the female passenger step out of the car. He also asked on two occasions if she and the other person in the car were going to do sexual things.

Constable JM was found guilty of discreditable conduct. His penalty was to forfeit 24 hours – working on rest days or annual leave days until the prescribed 24 hours were completed. He was also directed to complete suitable training on search techniques, dealing with the public and gender awareness.

Windsor Police Service, Policy and Service Review

In January 2012, then Acting Chief Al Frederick of the Windsor Police Service asked the OIPRD to conduct a review of all policies and services provided by the Windsor Police Service as they related to a Special Investigations Unit investigation into an encounter between a Windsor doctor and a Windsor Police Service officer.

Acting Chief Frederick requested the assistance of the Independent Police Review Director to ensure an independent and transparent review, pursuant to s. 11 of the SIU Regulation of the PSA. Three investigators from the OIPRD were assigned to complete the review. They examined the policies and services of the Windsor Police Service relating to seven areas:

1. SIU investigations
2. Use of force
3. Conflict of interest
4. Arrest and processing of prisoners
5. Public complaints and criminal investigations of members of the Windsor Police Service
6. Risk management – early warning system
7. Supervision.

These areas were reviewed to determine whether they complied with the PSA, its Regulations, the Ontario Policing Standards and policing best practices. The policies and procedures of three other police services were reviewed by the investigators to assist in determining the best practices in the identified areas. In addition, OIPRD investigators examined the Windsor Police Service directives that were in effect at the time of the SIU investigation and connected directly to that investigation.

The Independent Police Review Director made 39 recommendations in his report to the Windsor Police Service in June 2012. Some of the recommendations were made to bring the Windsor Police Service in compliance with the current policing standards, the PSA and its regulations. Other recommendations were made for the Windsor Police Service to consider implementing to enhance the service that it provides to the community.

SYSTEMIC REVIEWS

The OIPRD may conduct investigations into systemic issues arising from public complaints and will work to identify and offer solutions to systemic or ongoing issues within a police service.

On May 16, 2012, the Independent Police Review Director released the G20 systemic review report, "*Policing the Right to Protest*." The report provided an in-depth analysis of issues surrounding public complaints against police during the G20 summit in Toronto in June 2010.

The 300-page report examined the planning and execution of the security operation at the G20, incidents where large-scale protests and interactions or clashes with police occurred, issues regarding stops and searches and the planning and operation of the Prisoner Processing Centre.

The Director found that while the vast majority of police officers carried out their duties in a professional manner, some police officers ordered or made arrests without reasonable grounds, used excessive force, overstepped their authority when they stopped and searched people without legal justification, and failed to take adequate steps to address problems at the Prisoner Processing Centre.

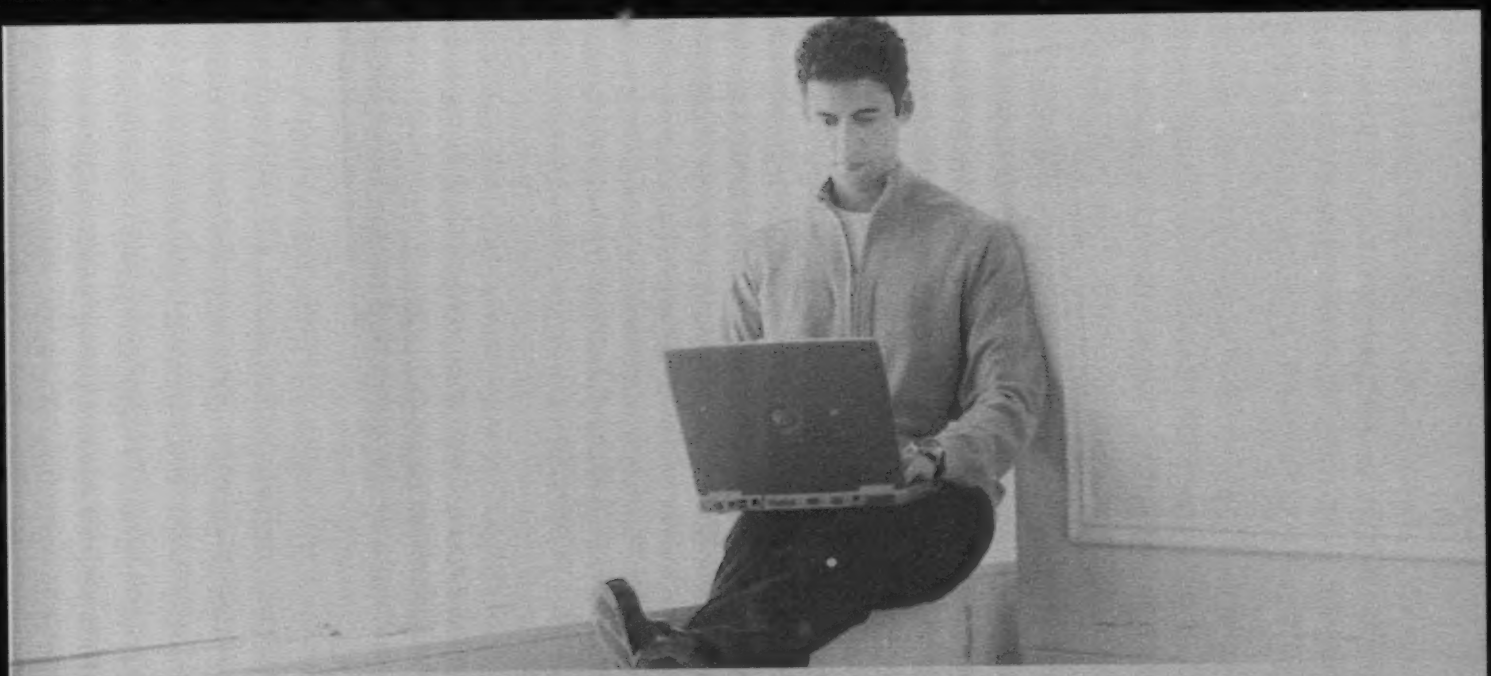
The report provided 42 recommendations to improve the interaction between the public and the police during future protests and to strengthen confidence and trust in police and policing.

The G20 systemic review report has had a significant impact on the policing community and resulted in several improvements in policing practices. When the G20 report was released, Toronto Police Service Chief Bill Blair told the media he accepted the recommendations made by the OIPRD and would take them seriously. It was evident that the Toronto Police Service took a different approach with the Occupy Toronto movement than they did with the G20. In September 2012, when Toronto police enforced a court order and instructed Occupy Toronto protesters to leave a local park, there was almost no confrontation between police and protesters. Police were described as calm and professional.

Chicago's Independent Police Review Authority consulted with the Independent Police Review Director prior to the NATO summit in Chicago in May 2012. Over the past year, the Director has spoken to numerous police services and oversight agencies regarding his report, his findings and recommendations.

In October 2012, the Independent Police Review Director addressed the National Association for Civilian Oversight of Law Enforcement (NACOLE) annual conference on the subject of oversight of policing public protests. NACOLE is an organization of individuals and agencies that work to establish or improve oversight of police officers throughout the United States.

In November 2012, the Director visited Calgary Police Service to discuss best practices for policing protests.



OUTREACH AND EDUCATION

The OIRPD has a mandate to educate stakeholders and the general public about the public complaints system. We consider outreach and education very important to the success of the OIPRD. It provides an opportunity for us to make sure communities and police understand the importance of police oversight and how the complaints process works.

Since our office opened, outreach and education advisors have visited hundreds of communities and organizations across Ontario to provide information sessions on the OIPRD and the complaints process. Presentations have been very well received and we have built a large number of contacts and networks with organizations throughout the province. We work closely with our stakeholders to understand their issues and concerns. In 2012–13, this work has led us to develop and deliver outreach and education strategies to target a number of specific stakeholder groups that are particularly relevant to the complaints system. These include:

- Groups that work with police and potential new police officers such as Emergency Medical Services, and universities and colleges that run police foundations courses and justice, community and social services programs.
- Members of the public and organizations that work with members of the public who may have little understanding of police and policing in Ontario, such as newcomers and settlement services.
- Youth and organizations that work with youth who may be in contact with the law or who are vulnerable to frequent contact with police. This includes probation and parole officers, organizations that interact with youth, such as group homes and detention centres, community groups that work with members of the public more likely to be in contact with the police, law schools and legal clinics, women's shelters and victim services organizations.

In the course of their work, our outreach and education advisors have found that many young people in contact with the law or vulnerable to contact with the law are unlikely to file complaints because they feel they would be targeted by police if they did so. They also say that they

do not have confidence in the OIPRD's ability to deal with their issues to their satisfaction and to ensure they would not be targeted or harassed by police.

Our outreach strategy for these groups is a discussion and problem-solving approach in order to find ways to help build positive police-community relations and to help build trust and confidence in the public complaints process.

In 2012–13 our outreach and education advisors made more than 175 targeted outreach presentations to probation and parole offices, emergency medical services, legal clinics, youth workers and youth groups, colleges and universities, newcomer and settlement services, women's shelters, victim services and community groups. Their presentations at colleges and universities reached more than 1,200 police foundations and community justice studies students. Our advisors also participated in a number of conferences and workshops.

In the future, our outreach will focus on educating police and the public about our customer service resolution and mediation programs, and educating police officers and civilian members of police services about the complaints process. We will continue to reach out to youth, newcomers, special needs groups and police foundations and justice programs in universities and colleges. We will also continue to build on previous outreach work in all regions of Ontario.

In 2012–13 the Independent Police Review Director made over 35 presentations and speeches and participated in various conferences, including:

- Ontario Association of Police Services Boards annual conference
- Canadian Association for Civilian Oversight of Law Enforcement (CACOLE) annual conference

- Canadian Civil Liberties Association Rights Watch Conference
- National Association for Civilian Oversight of Law Enforcement (NACOLE-U.S.) annual conference
- Canadian Institute Law of Policing conference.

The Independent Police Review Director regularly gives presentations and lectures to police services boards, police sergeants and those in constable training at the Ontario Police College.

Stakeholder Relations and Feedback

Our stakeholders include police services, police associations and police services boards, communities, community groups and the general public. Our goal is to create an environment of trust, cooperation and collaboration with all of our stakeholders.

Our Director's Resource Committees (DRCs) are set up in seven regions throughout Ontario. The community and police members of these committees have played an integral role in creating networks for outreach and education activities to raise awareness of the organization's mandate and the public complaints system during the initial start-up and foundation-building phases of the OIPRD's operation. They have also given the OIPRD the opportunity to have a presence in each region of Ontario and that has helped us build goodwill and relationships within communities.

In 2012–13 we had 11 regional DRC meetings to discuss topics such as new OIPRD initiatives, dealing with incivility, social media and policing, and procedures for OIPRD investigations.

In 2012–13 we received over 600 inquiries from the public through our general email inbox, and 180 more through written correspondence.

We encourage feedback in all areas of our complaints process. We have implemented an automated online feedback survey for people who have gone through our complaints process. The survey is available when people go to our website to check their complaint status. Feedback helps us to determine whether we are meeting the needs of our stakeholders and whether changes or improvements are needed in the way the public complaints system is delivered.

OIPRD BUSINESS PRACTICES AND PERFORMANCE MEASURES

Performance measures can help improve practices and accountability and ensure greater value for money. They are a means by which results can be structured, monitored and evaluated; in other words, what gets measured gets attention. The OIPRD tracks performance of processes and procedures internal to our organization and those undertaken externally by police services.

On an ongoing basis, the OIPRD tracks the following areas as performance measures to help ensure best practices and constant improvement:

Quarterly reporting of local inquiries

- Ontario Regulation 263/09 requires police services to report the number of local inquiries to the OIPRD every quarter. This is tracked by our office using a spreadsheet and a policy is being put in place to ensure police service compliance.

Seven-day local resolution timeline

- The police service has seven days after the conclusion of a local resolution to send the completed forms to the OIPRD. The form must be signed, dated and include a description of the resolution. The OIPRD case management system tracks this process electronically.

Any complaint handed in to a police service or police services board must be forwarded to the OIPRD within three business days

- The police and board have three business days to forward public complaints to the OIPRD.

Screening of complaints

- The OIPRD endeavours to complete the screening of a complaint within 10 days of its receipt.
- Should more information be required to screen a complaint, the police service has 14 days from the request to provide additional information.
- As part of the OIPRD's case management performance measures, both the 10-day screening time and the police compliance with the 14-day request for information are tracked using the case management system.

45-day investigative report update

- Investigators must provide a 45-day update regarding the progress of the investigation. This applies to OIPRD and police investigators.

- To ensure that police services and OIPRD investigators are complying with submission of a 45-day report, the OIPRD case management system tracks and notifies investigators regarding 45-day status updates and receipt of reports. Our practice for non-compliance includes escalation to the Director.

60-day report for policy and service complaints

- The chief is required to complete a report responding to policy and service complaints within 60 days of referral from the OIPRD.
- The OIPRD case management system tracks receipt of the 60-day report and alerts the coordinator of upcoming due dates. Our practice for non-compliance includes escalation to the Director.

120-day Investigative Report

- Investigations must be completed within 120 days unless an extension has been requested in writing and granted.
- To ensure compliance with the 120-day investigative report completion timeline for OIPRD investigations and investigations by police services, the system tracks investigative report due dates and occurrences of non-compliance are escalated to the Director. Case coordinators must also ensure that a 45-day update has been received and necessary requests for extensions beyond the 120 days. Requests and approvals are tracked within the system.
- Complaints retained by the OIPRD are often the more complex complaints, and as a result the investigations take longer to complete. The investigators must get disclosure from the police service, requiring additional time.

Police services are required to post or display information about the complaints process in an area that is accessible to the public and in the form provided by the OIPRD

- Police services must display brochures, posters, forms or any other material provided by the OIPRD in all divisions.
- The OIPRD conducted a compliance review in 2012 and the results are published in this annual report. Police services are informed of the results so that they can take steps to correct any areas of deficiency. The OIPRD will continue to monitor compliance.

Performance Measures

	Percentage that achieved target in 2012–13
7-day local resolution	98%
10-day screening	59%
60-day report for policy/service complaints	31%
120-day investigation – referred	54%
14 days for investigative file from service when review requested	71%

Quality Assurance Audit of Police Services

In 2012, as part of our oversight, the OIPRD had an independent compliance review conducted on a sample of police services across Ontario. The purpose of the compliance review was to identify the strengths of police services regarding their handling of public complaint inquiries, to analyze the key areas for improvement and to determine where the OIPRD should focus outreach and education initiatives.

The review was conducted throughout Ontario, dividing the province into the following six regions: Central, Eastern, Western, Northeast, Northwest and the Greater Toronto Area (GTA). Site visits involved both the municipal police services and the Ontario Provincial Police (OPP) for a total of 111 visits. Sites were also classified by size (small, medium or large). Inquiries were made as a typical citizen, so police would not be able to identify the consultant team as being involved in a review.

The quality assurance program assessed police compliance using three criteria:

1. Display and access of OIPRD material – how readily available OIPRD materials were to the public:
   - A station had to have both posters displayed on the walls and brochures readily available and accessible to receive a pass
   - A station had to provide two or more OIPRD brochures to receive a pass.

2. Staff knowledge of the OIPRD – how knowledgeable staff was about the OIPRD and its mandate:
   - To be in compliance, police personnel were required to provide two of three information items including contact information such as the address or telephone number, the website address and information or an explanation of how a complaint could be resolved or processed
   - To comply with knowledge of ways to deal with a complaint, police personnel were required to provide information or an explanation of how a complaint could be resolved or processed in three areas: speaking to the officer in charge, local resolution and formal filing with the OIPRD to receive a pass rating.
3. Staff reception and interaction – how approachable police staff was regarding questions about public complaints and how they responded to inquiries:
   - Attitude and friendliness of the police was tracked during site visits
   - Consultants recorded the degree to which they felt police staff and officers were polite and non-threatening and how comfortable they felt at the completion of their visit.

Police Service Quality Assurance Audit

		Accessibility of Information		Staff knowledge		Staff reception			
		Both posters and brochures displayed	Two or more brochures provided	Contact and complaint information	Three ways to deal with complaints	Very courteous	Somewhat/ very rude/ dismissive	Very/ somewhat comfortable	Not very/ not at all comfortable
Type	# of sites								
OPP	55	25%	75%	62%	34%	77%	7%	94%	6%
Municipal	56	23%	82%	71%	45%	76%	9%	93%	7%
Total	**111**	**24%**	**78%**	**67%**	**40%**	**77%**	**8%**	**93%**	**7%**
Region									
Central	36	31%	81%	67%	47%	69%	11%	86%	14%
GTA	15	7%	73%	73%	20%	73%	13%	93%	7%
Eastern	19	26%	74%	58%	37%	79%	11%	100%	0%
Western	20	15%	75%	60%	30%	85%	5%	100%	0%
Northeast	17	18%	82%	65%	47%	76%	0%	94%	6%
Northwest	4	50%	100%	100%	50%	100%	0%	100%	0%
Total	**111**	**24%**	**78%**	**66%**	**40%**	**77%**	**8%**	**93%**	**7%**
Size									
Small	51	25%	73%	59%	39%	75%	6%	92%	8%
Medium	27	22%	81%	74%	44%	89%	11%	97%	3%
Large	33	24%	85%	70%	36%	70%	9%	94%	6%
Total	**111**	**24%**	**78%**	**66%**	**40%**	**77%**	**8%**	**93%**	**7%**

FINDINGS

The compliance review consultants found that there was a high degree of awareness of the OIPRD among senior police staff. Officers at the staff sergeant level and above were very knowledgeable about the OIPRD process and stressed the importance of bringing any complaints forward to be resolved. Most of these individuals knew the OIPRD process in detail. However, review consultants reported that it was clear that knowledge was not always relayed to police staff or civilian personnel who staff front reception desks.

Consultants also noticed that the younger police officers were more likely to be dismissive and less courteous. There were a few cases where consultants felt that police officers' tones ranged from dismissive to intimidating when the consultants were asked to provide details of the complaint and asked why the complainants were not presenting themselves at a station. The consultants found the longer-serving police staff, specifically staff sergeants and detectives, were very polite and accommodating.

When compliance audits are completed and analyzed, the Independent Police Review Director informs the chiefs of police and the OPP commissioner of the key findings of the compliance review for their areas. In conjunction with the findings, the Director provides recommendations to assist police services to improve in the necessary areas.

Quality assurance audits are instrumental in gauging the general knowledge that police services have of the agency and the public complaints process. They are also useful for identifying target areas for outreach and education programs to police services.

THE ORGANIZATION

Our Commitment to Diversity, Inclusion and Accessibility

The OIPRD is committed to ensuring an inclusive and accessible environment in which all members of the public have equal access to its services and are treated with dignity and respect. The OIPRD aims to provide its services in accordance with the Ontario *Human Rights Code* (the Code), the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA) and the Accessibility Standards for Customer Service regulation made under the AODA.

Our diversity, inclusion and accessibility goals align with the Ontario Public Service corporate vision, namely:

- Embedding diversity and inclusion objectives in OIPRD policies, processes and services in order to deliver the best customer services possible
- Building a safe and healthy working environment that embraces different perspectives, beliefs, personalities and cultures and ensures the workplace is free of discrimination and harassment
- Reflecting the diverse population that the organization serves
- Leveraging the diversity of OIPRD staff to deliver the OIPRD's services
- Responding to the needs of a diverse culture.

We are committed to providing accommodation for all persons with identified disabilities under the AODA who attend our office, and to treating all people in a way that allows them to maintain their dignity and independence.

The OIPRD is also committed to assessing all of its existing policies, programs, guidelines and practices to ensure they are in keeping with the principles of diversity and inclusion. Where appropriate, the OIPRD will adapt programs and services to respond to the identified needs, challenges and issues of customers

and stakeholders. The OIPRD has developed strategies for accessibility compliance for customer service, information and communication, employment, procurement and the built environment.

Staffing

The OIPRD has an allocation of 49 full-time employees. In addition to our full-time staff, at the end of the 2012–13 fiscal year, the OIPRD had an additional five temporary positions to meet our additional workload requirements. The OIPRD is organized into the following core operational units:

1. Executive Office
2. Case Management
3. Investigations
4. Legal Services
5. Communications and Outreach
6. Business Operations.

In 2012–13, our staff was allocated as follows:

EXECUTIVE OFFICE

The Executive Office consists of the Independent Police Review Director (Order-in-Council appointed), a chief operations officer, an executive assistant and an administrative assistant to:

- Provide direction and make decisions in accordance with the OIPRD mandate, powers and role regarding investigations, public hearings, police policy and service reviews
- Liaise and oversee reviews of chiefs of police and disciplinary processes related to public complaints
- Provide strategic and operational direction.

CASE MANAGEMENT

The Case Management Unit is led by the senior case manager/registrar and is composed of a team lead and a team of 12 case coordinators, inquiries/intake staff and an administrative assistant to:

- Provide front-counter and electronic access to filing of complaints
- Provide public liaison and complaints assistance in English and French
- Undertake intake screening and tracking of complaints through to completion
- Create and maintain records and case management reporting processes
- Assess time limits, type, nature and merit of complaints; determine relevance of other laws/jurisdictions for resolution
- Determine whether the complaint will be investigated and who will conduct the investigation.

INVESTIGATIONS

The Investigations Unit is headed by a manager and is composed of a team of one senior investigator, nine full-time skilled and experienced investigators, one investigations analyst and an administrative assistant. The senior investigator assists with the operational supervision of investigations and ensures quality and timely investigations. The investigators come from both civilian and police backgrounds, providing a balanced, objective approach to investigations. Our civilian investigators have backgrounds in regulatory compliance investigations and oversight, having come from such organizations as Ontario's Public Guardian and Trustee, Ontario Lottery and Gaming Corporation and the Ontario Ombudsman's Office. A number of investigators with police backgrounds have served in homicide units, sexual assault and domestic violence units as well as professional standards units.

Between April 1, 2012 and March 31, 2013, five of our investigators came from civilian backgrounds and four had police backgrounds. Our investigations are carried out using currently recognized investigative practices that are in keeping with investigative

Human Resources

Unit	Number	Percentage
Executive Office	4	8
Case Management	14	29
Investigations	13	27
Legal Services	4	8
Communications and Outreach	6	12
Business Operations	8	16
Total	**49**	**100**

standards and legislation and employ the latest technology such as audio and video enhancement software. Our use of technology in sending and receiving material from across the province enhances our ability to quickly exchange material with our stakeholders where necessary.

Our investigators work from our office in Toronto but travel extensively throughout the province conducting interviews with complainants, witnesses and police officers as well as gathering evidence related to complaints. They are tasked with conducting thorough and independent investigations and reporting the results to the Director. Where charges are laid they provide evidence for the *Police Services Act* hearing.

The Investigations Unit is responsible for:

- Undertaking independent investigations of police conduct complaints
- Taking over investigations from police services where the Director has provided direction
- Overseeing investigations being conducted by an outside police service
- Conducting requests for review
- Conducting investigations into systemic issues arising from public complaints
- Conducting audits of the management of public complaints by police services.

LEGAL SERVICES

The Legal Services Unit consists of a senior counsel, two counsels and one law clerk, and is a critical part of our day to day operations. The unit provides legal advice and support to all OIPRD departments. The Legal Services Unit:

- Provides integrated legal advice and associated services to the Director and to other OIPRD staff
- Assesses and makes recommendations to proceed with investigations
- Provides legal support to investigators concerning legal rights, scope of power and statutory interpretation of legislation/ regulations
- Provides legal support to the Case Management Unit
- Assists with reviews and recommends plans for informal or alternative dispute resolutions (e.g., mediated resolutions)
- Appears on behalf of the OIPRD at appeals to the Ontario Civilian Police Commission/Divisional Court and other proceedings
- Assists with legal/policy work and liaises with the Ministry of the Attorney General and other ministries.

COMMUNICATIONS AND OUTREACH

The Communications and Outreach Unit is led by a manager and is made up of a communications consultant and four regional outreach education advisors. The unit:

- Provides leadership in strategic planning, media and public relations, communications and stakeholder relations
- Manages new media including the OIPRD website
- Manages external and internal correspondence and events
- Develops and implements education and outreach programs to educate communities and police on the public complaints process and the OIPRD
- Organizes and facilitates regional Director's Resource Committees.

BUSINESS OPERATIONS

Business Operations is led by a manager who oversees seven staff who provide:

- Financial, human resources, compliance and information, knowledge management and retention, asset management and administrative functions
- Information technology and management required to support the IT-based case management system, the OIPRD-to-police correspondence system and network-accessible complaint filings, specialized IT for the intake call centre and base infrastructure to support office productivity (including network services, voice/telecom, desk-side support, desktops and notebooks for out-of-office investigations)
- Facilities and security
- Training, education and internal communications.

FINANCIAL EXPENDITURES

Original Budget	**$ 7,467,300**
Revised Budget	$ 6,442,200
Expenditures	$ 6,164,541

2012–13 Year-End Expenditures

Salaries and wages	$ 4,351,125
Employee benefits	517,457
Transportation and communications	237,970
Services	939,356
Supplies and equipment	118,633
Total	**$ 6,164,541**

The variance between the original budget and the actual expenditures was primarily in the services account. This was due to the limited opportunities for implementing the fee for service regional investigative model, which resulted in the use of other models for investigations. Other savings were also identified in the new mediation program to enhance local and informal resolution processes. The program was originally planned for 2012–13, but was deferred for implementation in 2013–14 because the OIPRD needed to establish a specific mediation service Vendor of Record (VOR) for community-based mediation services.

LOOKING FORWARD

In 2012–13, my office established policies and procedures for customer service resolution and informal resolution via mediation. In the coming year we will be rolling out these programs to police services across Ontario. We will also be establishing a local resolution via mediation program to help police services deal with complaints made at the police station through mediation. This may reduce the likelihood of them becoming formal complaints to the OIPRD. I am excited about these programs because I believe that finding resolutions to complaints that are less serious and suitable for mediation makes for greater understanding between police officers and citizens and greater confidence in, and satisfaction with, the complaints process.

In the coming year, we will focus our outreach on training police services in facilitative resolution techniques, and educating police and the public about our customer service resolution and mediation programs. We will also continue our outreach and education to youth, newcomers, special needs groups and police foundations and justice programs in universities and colleges. We will renew our website to comply with Web Content Accessibility Guidelines (WCAG 2), ensuring our website is accessible for everyone.

As part of our ongoing effort to assess and improve our processes and procedures, my office will be updating the OIPRD Rules of Procedure. Our internal policies and procedures are reviewed on a continuous basis and updated as required. I plan to continue to build on the knowledge we have gained to improve our services to all of our stakeholders.

The OIPRD is maintaining a forward focus and continuing to move toward our vision of managing complaints about police in a fair, accountable, transparent and effective manner that builds confidence in the public complaints system.

APPENDIX

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SERVICE BY SERVICE STATISTICS

Service	Total officers subject to PSA Part V*	Local inquiries †	Local resolutions †	Total complaints received between April 1, 2012 and March 31, 2013	Total complaints – Conduct	Total complaints – Policy	Total complaints – Service	Total complaints carried over from prior years – Conduct	Total complaints carried over from prior years – Policy	Total complaints carried over from prior years – Service	Total screened out in 2012–13	Total complaints screened in in 2012–13	Screened in complaints carried over from prior year
Amherstburg	30	8	0	9	9	0	0	4	0	0	3	6	4
Aylmer	13	0	0	0	0	0	0	0	0	0	0	0	0
Barrie	232	3	2	34	31	3	0	7	0	0	18	16	7
Belleville	88	14	0	22	20	0	2	4	0	0	12	10	4
Brantford	165	0	0	19	19	0	0	6	0	0	10	9	6
Brockville	42	0	0	9	9	0	0	0	0	0	5	4	0
Chatham-Kent	165	1	0	14	14	0	0	3	0	0	8	6	2
Cobourg	32	0	0	7	7	0	0	1	0	0	4	3	1
Cornwall Community	91	6	2	13	11	1	1	1	0	0	7	6	1
Deep River	9	0	0	1	1	0	0	0	0	0	1	0	0
Dryden	21	0	0	2	2	0	0	0	0	0	1	1	0
Durham Regional	923	0	1	104	103	0	1	32	0	0	44	60	28
Espanola	12	0	0	1	1	0	0	1	0	0	1	0	1
Gananoque	15	0	0	2	2	0	0	0	0	0	2	0	0
Guelph	194	0	0	22	22	0	0	9	0	0	14	8	7
Halton Regional	643	1	1	75	70	0	5	12	0	0	40	35	12
Hamilton	820	7	2	149	144	0	5	24	0	1	80	69	20
Hanover	15	0	0	2	2	0	0	3	0	0	1	1	3
Kawartha Lakes (City of)	43	7	0	7	6	0	1	1	0	0	4	3	1
Kingston	199	41	0	44	43	0	1	6	0	0	23	21	6
LaSalle	36	0	0	2	2	0	0	0	0	0	0	2	0
London	589	0	4	77	73	0	4	14	0	1	43	34	14
Midland	27	0	0	4	3	0	1	3	0	0	2	2	2
Niagara Regional	702	0	0	113	109	0	4	21	0	1	59	54	21
North Bay	91	0	1	12	12	0	0	2	0	0	5	7	1
Ontario Provincial Police	6,330	11											
OPP Central East			0	41	40	0	1	11	0	0	25	16	11
OPP Central West			0	56	53	0	3	17	1	1	43	13	17
OPP East			1	151	143	2	6	30	0	0	84	67	29
OPP Northeast			0	52	46	4	2	16	0	3	24	28	19
OPP Northwest			2	190	185	3	2	32	0	2	110	80	32
OPP Toronto			3	135	128	1	6	21	0	0	77	58	18
OPP West			0	18	18	0	0	3	0	0	8	10	3

	Allegation																		
	Allegation – Breach of confidence	**Allegation** – Consume drug/alcohol prejudicial to duty	**Allegation** – Corrupt practice	**Allegation** – Deceit	**Allegation** – Discreditable conduct	**Allegation** – Damage to clothing or equipment	**Allegation** – Neglect of duty	**Allegation** – Unlawful/unnecessary exercise of authority	**Allegation** – Section 79 – AIS consent	Informal resolution	Abandoned	Withdrawn	Lost jurisdiction – substantiated – no hearing (serious and less serious)	Unsubstantiated	Substantiated – less serious	Substantiated – serious – hearing	No action taken (policy/service)	Action taken (policy/service)	All open investigation files as of March 31, 2013
	0	0	0	0	11	0	0	9	0	0	0	0	0	17	0	3	0	0	6
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	5	0	0	5	0	7	2	3	0	10	0	0	1	0	6
	0	0	0	0	12	0	8	4	0	0	0	2	0	24	0	0	1	1	5
	1	0	2	1	5	0	3	11	0	0	0	2	0	23	0	0	0	0	3
	0	0	0	0	3	0	0	3	0	0	0	0	0	6	0	0	0	0	2
	0	0	0	0	3	0	5	14	0	1	1	0	0	22	0	0	0	0	6
	0	0	0	0	0	0	0	0	0	0	3	0	0	0	0	0	0	0	2
	1	0	0	0	1	0	1	4	0	0	0	1	0	7	0	0	1	1	0
	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0
	3	0	11	0	43	0	4	26	0	2	4	22	0	81	0	3	1	0	27
	0	0	0	0	3	0	0	0	0	0	0	0	0	3	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	11	0	31	14	0	0	0	1	0	56	0	0	0	0	5
	0	0	0	0	35	0	9	24	0	5	2	10	0	59	5	0	0	0	16
	1	0	0	1	18	0	13	18	0	34	3	11	0	48	0	3	4	0	16
	0	0	0	0	2	0	1	0	0	1	0	0	0	3	0	0	0	0	0
	0	0	0	0	1	0	0	1	0	1	0	1	0	2	0	0	0	0	0
	0	0	5	0	19	0	1	11	0	6	1	1	0	32	1	2	0	0	11
	0	0	0	1	1	0	1	0	0	1	0	0	0	0	0	4	0	0	1
	2	0	3	3	33	0	12	60	0	12	3	5	0	104	9	0	2	0	10
	0	0	0	0	5	0	5	4	0	0	0	1	0	14	0	0	0	0	0
	0	0	0	0	68	0	6	37	0	1	1	6	0	102	1	6	5	0	32
	0	0	0	0	2	0	1	0	0	1	0	1	0	2	1	0	0	0	3
	0	0	0	2	6	6	13	35	0	1	0	8	0	61	0	1	0	0	5
	0	0	0	1	5	0	23	17	0	0	0	8	0	38	2	4	3	0	7
	0	0	1	6	45	0	35	25	0	12	1	16	0	92	11	6	1	2	37
	0	0	0	0	17	0	18	4	0	2	1	7	0	35	4	0	5	1	19
	1	0	0	3	43	0	22	46	0	2	3	32	0	106	6	2	2	1	31
	0	0	0	1	41	0	43	14	0	3	1	23	0	91	6	2	5	1	23
	0	0	1	0	5	0	12	2	0	1	0	1	0	16	3	1	0	0	7

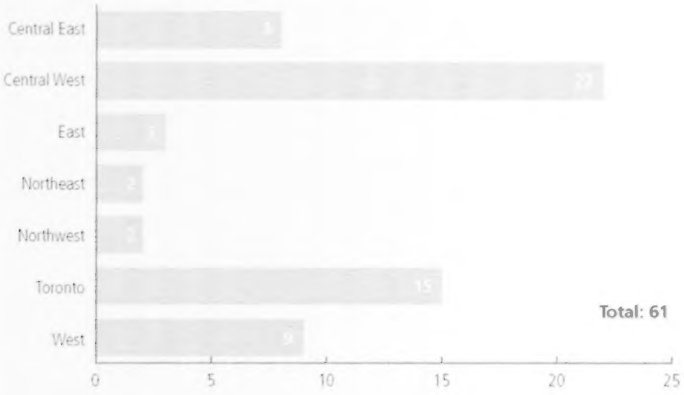
SERVICE BY SERVICE STATISTICS – CONTINUED

Service	Total officers subject to PSA Part V*	Local inquiries †	Local resolutions †	Total complaints received between April 1, 2012 and March 31, 2013	Total complaints – Conduct	Total complaints – Policy	Total complaints – Service	Total complaints carried over from prior years – Conduct	Total complaints carried over from prior years – Policy	Total complaints carried over from prior years – Service	Total screened out in 2012–13	Total complaints screened in in 2012–13	Screened-in complaints carried over from prior years
Orangeville	42	13	2	4	4	0	0	2	0	0	3	1	2
Ottawa	1,312	0	0	244	228	0	16	37	0	3	105	139	39
Owen Sound	39	12	0	6	5	0	1	0	0	0	2	4	0
Peel Regional	1,911	0	17	202	194	1	7	49	0	0	95	107	45
Pembroke	25	0	0	5	5	0	0	3	0	0	5	0	0
Perth	15	1	0	1	1	0	0	0	0	0	0	1	0
Peterborough Lakefield Community	128	18	1	23	22	0	1	7	0	0	9	14	6
Port Hope	21	0	0	5	5	0	0	2	0	0	5	0	2
Sarnia	111	1	0	25	24	0	1	5	0	1	9	16	6
Saugeen Shores	22	0	0	5	5	0	0	2	0	0	4	1	2
Sault Ste. Marie	136	1	0	22	22	0	0	3	0	0	14	8	3
Shelburne	13	0	0	0	0	0	0	0	0	0	0	0	0
Smiths Falls	25	0	0	5	5	0	0	0	0	0	1	4	0
South Simcoe	81	1	0	13	13	0	0	1	0	0	3	10	1
St. Thomas	68	4	0	3	3	0	0	1	0	0	1	2	1
Stirling-Rawdon	10	0	0	1	1	0	0	0	0	0	0	1	0
Stratford	55	6	0	6	6	0	0	0	0	0	2	4	0
Strathroy-Caradoc	30	0	0	2	1	0	1	0	0	0	0	2	0
Sudbury (Greater)	262	0	0	46	44	0	2	8	0	1	28	18	9
Thunder Bay	224	0	0	37	36	0	1	26	0	0	17	20	26
Timmins	83	5	1	8	8	0	0	1	0	1	5	3	2
Toronto	5,568	1	12	886	847	8	31	319	5	6	464	422	312
Waterloo Regional	771	0	3	56	54	0	2	10	0	0	27	29	9
West Grey	22	2	0	1	1	0	0	0	0	0	0	1	0
West Nipissing	22	0	0	8	8	0	0	0	0	0	6	2	0
Windsor	457	11	1	59	59	0	0	13	0	0	41	18	13
Wingham	7	0	0	1	1	0	0	0	0	0	0	1	0
Woodstock	65	0	1	9	9	0	0	1	0	0	6	3	1
York Regional	1,454	0	4	139	131	1	7	30	0	1	76	63	28
Not about Ontario police service			0	16	16	0	0	1	0	0	16	0	0
Not determinable			0	1	1	0	0	0	0	0	1	0	0
Not screened			0	90	0	0	0	0	0	0	0	0	0
Total	**24,506**	**175**	**61**	**3,316**	**3,087**	**24**	**115**	**805**	**6**	**22**	**1,703**	**1,523**	**777**

* From Statistics Canada Police Resources in Canada 2012
† Local inquiries and local resolutions are outside the formal OIPRD complaint system

	Allegation																		
	Allegation – Breach of confidence	**Allegation** – Consume drug/alcohol prejudicial to duty	**Allegation** – Corrupt practice	**Allegation** – Deceit	**Allegation** – Discreditable conduct	**Allegation** – Damage to clothing or equipment	**Allegation** – Neglect of duty	**Allegation** – Unlawful/unnecessary exercise of authority	**Allegation** – Section 79 – AG consent	Informal resolution	Abandoned	Withdrawn	Lost jurisdiction – substantiated – no hearing (serious and less serious)	Unsubstantiated	Substantiated – less serious	Substantiated – serious – hearing	No action taken (policy/service)	Action taken (policy/service)	All open investigation files as of March 31, 2013
	0	0	0	0	0	0	3	0	0	2	0	0	0	0	3	0	0	0	0
	0	0	2	1	58	0	16	33	0	12	2	56	0	95	11	4	1	2	61
	0	0	0	0	3	0	0	3	0	1	0	0	0	6	0	0	1	0	2
	0	0	0	0	61	0	17	61	0	43	4	24	0	119	4	7	1	0	57
	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	3	0	0	0	0	0	3	0	0	0	0	1
	0	0	0	1	16	0	6	6	0	2	1	0	0	22	1	0	0	0	8
	1	0	2	1	0	0	1	1	0	0	0	0	0	2	4	0	0	0	0
	0	0	0	0	4	0	6	14	0	0	0	3	0	24	0	0	1	0	7
	0	0	0	0	11	0	2	1	0	0	0	0	0	14	0	0	0	0	1
	2	0	0	0	3	0	14	2	0	1	1	2	0	9	5	6	0	0	6
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	2	0	0	0	0	0	2	0	0	0	0	4
	0	0	0	0	5	0	1	0	0	0	0	0	0	6	0	0	0	0	6
	0	0	0	0	1	0	1	1	0	1	0	0	0	1	2	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	7	0	0	1	2	0	7	0	0	0	0	1
	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1
	0	0	1	0	12	0	8	10	0	1	4	2	0	27	0	0	2	0	10
	1	0	0	0	40	0	6	22	0	1	0	10	0	62	4	3	0	0	14
	0	0	0	0	1	0	0	1	0	1	1	0	0	2	0	0	0	1	3
	1	0	2	7	480	0	92	395	0	93	23	81	0	840	23	121	14	1	325
	0	0	3	2	33	0	12	28	0	3	2	8	0	71	6	0	1	0	11
	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0
	0	0	0	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0	2
	1	0	0	2	29	0	4	21	0	6	1	2	0	39	4	16	0	0	8
	0	0	0	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0	1
	0	0	0	0	1	0	0	0	0	1	0	1	0	1	0	0	0	0	2
	0	0	0	3	44	0	7	30	0	11	2	13	0	76	11	0	2	1	27
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	15	**0**	**33**	**36**	**1,245**	**6**	**465**	**1,029**	**0**	**273**	**70**	**368**	**0**	**2,484**	**127**	**194**	**54**	**12**	**838**

Local Resolutions by Region – April 1, 2012 – March 31, 2013



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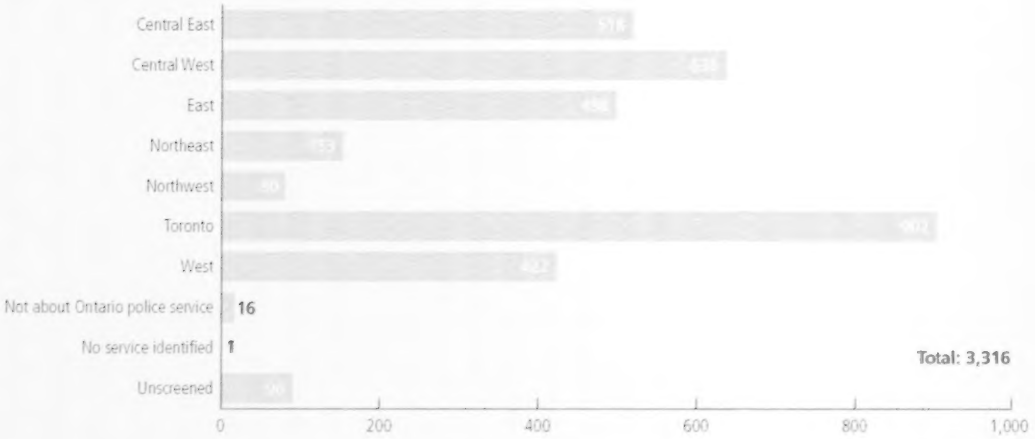
Total Complaints Filed – April 1, 2012 – March 31, 2013

Number of complaints by region



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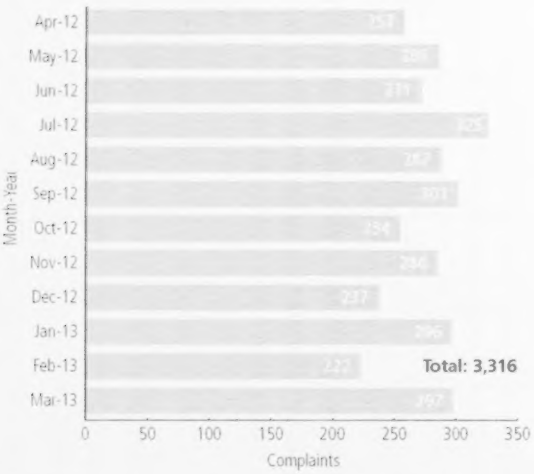
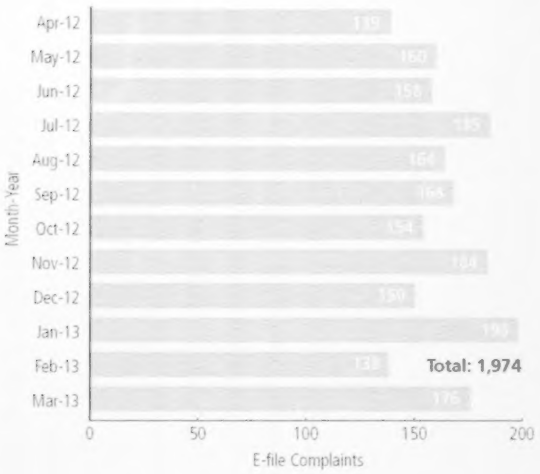
Total Complaints Filed April 1, 2012 – March 31, 2013

All complaints by month



Total E-filed Complaints April 1, 2012 – March 31, 2013

E-file complaints by month



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Complaints Screened out – April 1, 2012 – March 31, 2013	2012–13	From 2011–12	Total
Total screened-out cases in 2012–13	**1,703**	**56**	**1,759**
Conduct	**1,651**	**55**	**1,706**
Abandoned	37	5	42
Already dealt with by police service	2	0	2
Bad faith	1	3	4
Better dealt with under another act/law	195	9	204
Directly affected party already filed a complaint	23	0	23
Duplicate complaint	75	6	81
Frivolous	239	6	245
No jurisdiction under section 58	91	4	95
No PSA – no breach	316	11	327
Not in the public interest	342	1	343
Not valid submission	20	1	21
Over six months	174	2	176
Prior to proclamation	53	1	54
Third party criteria not met	42	1	43
Unable to contact complainant	8	1	9
Vexatious	4	0	4
Withdrawn prior to screening	29	4	33
Policy	**10**	**1**	**11**
Abandoned	0	1	1
Frivolous	1	0	1
No jurisdiction under section 58	1	0	1
Not in the public interest	7	0	7
Over six months	1	0	1
Service	**42**	**0**	**42**
Abandoned	3	0	3
Duplicate complaint	2	0	2
Frivolous	9	0	9
No jurisdiction under section 58	1	0	1
Not directly affected by service	3	0	3
Not in the public interest	20	0	20
Over six months	3	0	3
Withdrawn prior to screening	1	0	1

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Total Complaints Screened in by Region

Region	2012–13	2011–12	Carried over 2010–11	2009–10
Central East	245	109	1	0
Central West	311	126	5	1
East	253	69	8	2
Northeast	51	30	3	0
Northwest	37	36	1	0
Toronto	431	172	143	0
West	195	68	3	0
Total	**1,523**	**610**	**164**	**3**

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Number of Screened-in Conduct Complaints Filed by Region

Region	2012–13	2011–12	Carried over 2010–11	2009–10
Central East	233	106	1	0
Central West	293	121	5	1
East	235	66	8	2
Northeast	48	26	3	0
Northwest	37	36	1	0
Toronto	409	162	143	0
West	181	66	3	0
Total	**1,436**	**583**	**164**	**3**

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Number of Screened-in Policy/Service Complaints Filed by Region

Region	2012–13	2011–12	Carried over 2010–11	2009–10
Central East	12	3	0	0
Central West	18	5	0	0
East	18	3	0	0
Northeast	3	4	0	0
Northwest	0	0	0	0
Toronto	22	10	0	0
West	14	2	0	0
Total	**87**	**27**	**0**	**0**

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Year to Year Case Flow

	2012–13 cases	From 2011–12 cases	From 2010–11 cases	From 2009–10 cases	Total
Cases carried over from years prior to 2012–13	0	666	164	3	833
Cases received April 1, 2012 to March 31, 2013	3,316	0	0	0	3,316
Total	**0**	**0**	**0**	**0**	**4,149**
Cases open as of March 31, 2013	766	30	131	1	928
Cases closed April 1, 2012 to March 31, 2013	2,550	636	33	2	3,221
Total	**0**	**0**	**0**	**0**	**4,149**

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Complaints Screened in for Investigation – April 1, 2012 – March 31, 2013

	2012–13 cases	From 2011–12 cases	From 2010–11 cases	From 2009–10 cases	Total
Screened in in 2012–13	**1,523**	**36**	**0**	**0**	**1,559**
Complaints screened in and referred to police service for investigation					
Conduct					
Same police service	1,316	30	0	0	1,346
Other police service	1	0	0	0	1
Policy					
Same police service	14	0	0	0	14
Service					
Same police service	73	1	0	0	74
Complaints screened in and retained by OIPRD for investigation					
Conduct	119	5*	0	0	124

*Two of the five cases were referred in 2011–12 and subsequently retained in 2012–13, one following a request for review, and one that was directed for further action under section 72.

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Snapshot of Cases in Progress – April 1, 2012 – March 31, 2013

	2012–13 cases	From 2011–12 cases		From 2010–11 cases		From 2009–10 cases		Total
	2012–13 cases referred/ retained in 2012–13	Cases referred/ retained in 2011–12 and carried over into 2012–13	2011–12 cases referred/ retained in 2012–13	Cases referred/ retained in 2010–11 and carried over into 2012–13	2010–11 cases referred/ retained in 2012–13	Cases referred/ retained in 2009–10 and carried over into 2012–13	2009–10 cases referred/ retained in 2012–13	
Cases screened in and referred	**1,404**	**501**	**31**	**20**	**0**	**2**	**0**	**0**
Conduct	1,317	475	30	20	0	2	0	0
Policy	14	5	0	0	0	0	0	0
Service	73	21	1	0	0	0	0	0
Cases screened in and retained	**119**	**73**	**5**	**144**	**0**	**1**	**0**	**0**
Conduct	119	73	5*	144	0	1	0	0
Total cases screened in and open during 2012–13	**1,523**	**574**	**36**	**164**	**0**	**3**	**0**	**2,300**

* Two of the five cases were referred in 2011–12 and subsequently retained in 2012–13, one following a request for review, and one that was directed for further action under section 72.

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Complaints Screened in for Investigation – Closed April 1, 2012 – March 31, 2013

	2012–13 cases	From 2011–12 cases	From 2010–11 cases	From 2009–10 cases	Total
Total cases screened in and closed	**847**	**580**	**33**	**2**	**1,462**
Abandoned	9	12	3	0	24
Better dealt with under another act/law	2	1	0	0	3
Closed after appeal to OCPC	0	0	0	1	1
Closed after investigation	300	349	26	1	676
Closed after request for review	30	74	2	0	106
Consolidated complaint	5	0	0	0	5
Frivolous	1	0	0	0	1
Informally resolved – after investigation	2	2	1	0	5
Informally resolved – during investigation	204	64	0	0	268
No jurisdiction under section 58	16	0	0	0	16
Not in the public interest	17	3	0	0	20
Over six months	1	0	0	0	1
Prior to proclamation	0	1	0	0	1
Vexatious	1	0	0	0	1
Withdrawn after investigation	0	2	0	0	2
Withdrawn during investigation	259	72	1	0	332
Total screened in and closed in 2012–13	**847**	**580**	**33**	**2**	**1,462**
Total screened out in 2012–13	**1,703**	**56**	**0**	**0**	**1,759**
Total closed in 2012–13	**2,550**	**636**	**33**	**2**	**3,221**

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Conduct Complaint Allegations – Decisions Issued/Received in 2012–13 by Region

	Unsubstantiated	Substantiated less serious	Substantiated serious – Hearing
Central East	316	22	5
Central West	442	17	16
East	261	23	12
Northeast	82	8	10
Northwest	123	4	4
Toronto	855	26	122
West	405	27	25
Total	**2,484**	**127**	**194**

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Policy/Service Complaint Allegations – Decisions Issued/Received in 2012–13 by Region

	No action taken (policy/service)	Action taken (policy/service)
Central East	6	2
Central West	15	1
East	4	6
Northeast	5	1
Northwest	0	0
Toronto	14	1
West	10	1
Total	**54**	**12**

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Requests for Review

		2012–13 cases	From 2011–12 cases	From 2010–11 cases	Total
Requests for Review carried into 2012–13		0	34	2	36
Requests for Review received in 2012–13		76	56	0	132
Total Requests for Review open during 2012–13		**76**	**90**	**2**	**168**
Requests for Review not screened on March 31, 2013		**2**	**0**	**0**	**2**
Total Requests for Review closed – no review by panel – file closed		**9**	**7**	**0**	**16**
Abandoned		0	1	0	1
No right of review		6	0	0	6
Request filed late		3	5	0	8
Withdrawn		0	1	0	1
Total Requests for Review completed and closed		**34**	**80**	**2**	**116**
Initial Request for Review					
	Assign 2nd investigation to same service	1	9	0	10
	Chief's decision confirmed	31	66	0	97
	OIPRD takes over investigation	0	1	0	1
	Panel varied decision	2	2	0	4
Second Request for Review					
	Chief's decision confirmed	0	2	2	4
Total Requests for Review open and carried into 2013–14		**31**	**3**	**0**	**34**
Initial Request for Review					
	Awaiting Request for Review materials	9	0	0	9
	Examining investigative file	19	0	0	19
	Summary completed	3	2	0	5
Second Request for Review					
	Examining investigative file	0	1	0	1

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Performance Measures

	Percentage that achieved target in 2012–13
7-day local resolution	98%
10-day screening	59%
60-day report for policy/service complaints	31%
120-day investigation – referred	54%
14 days for investigative file from service when review requested	71%

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Police Service Quality Assurance Audit

		Accessibility of Information		Staff knowledge		Staff reception			
		Both posters and brochures displayed	Two or more brochures provided	Contact and complaint information	Three ways to deal with complaints	Very courteous	Somewhat/ very rude/ dismissive	Very/ somewhat comfortable	Not very/ not at all comfortable
Type	# of sites								
OPP	55	25%	75%	62%	34%	77%	7%	94%	6%
Municipal	56	23%	82%	71%	45%	76%	9%	93%	7%
Total	**111**	**24%**	**78%**	**67%**	**40%**	**77%**	**8%**	**93%**	**7%**
Region									
Central	36	31%	81%	67%	47%	69%	11%	86%	14%
GTA	15	7%	73%	73%	20%	73%	13%	93%	7%
Eastern	19	26%	74%	58%	37%	79%	11%	100%	0%
Western	20	15%	75%	60%	30%	85%	5%	100%	0%
Northeast	17	18%	82%	65%	47%	76%	0%	94%	6%
Northwest	4	50%	100%	100%	50%	100%	0%	100%	0%
Total	**111**	**24%**	**78%**	**66%**	**40%**	**77%**	**8%**	**93%**	**7%**
Size									
Small	51	25%	73%	59%	39%	75%	6%	92%	8%
Medium	27	22%	81%	74%	44%	89%	11%	97%	3%
Large	33	24%	85%	70%	36%	70%	9%	94%	6%
Total	**111**	**24%**	**78%**	**66%**	**40%**	**77%**	**8%**	**93%**	**7%**

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Human Resources

Unit	Number	Percentage
Executive Office	4	8
Case Management	14	29
Investigations	13	27
Legal Services	4	8
Communications and Outreach	6	12
Business Operations	8	16
Total	**49**	**100**

FINANCIAL EXPENDITURES

Original Budget	**$ 7,467,300**
Revised Budget	$ 6,442,200
Expenditures	$ 6,164,541

2012–13 Year-End Expenditures

Salaries and wages	$ 4,351,125
Employee benefits	517,457
Transportation and communications	237,970
Services	939,356
Supplies and equipment	118,633
Total	**$ 6,164,541**

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